

**Genesis**August 11<sup>th</sup>, 2021

Department of Health  
625 Forster Street  
Harrisburg, PA 17120  
Attn: Lori Gutierrez, Deputy Director  
Office of Policy

Re: Rulemaking 10-221 (Long-Term Care Facilities, Proposed Rulemaking 1)

To Whom It May Concern,

Please accept this letter of comment on the recently proposed rule, "Department of Health, Title 28. Health and Safety, Part IV. Health Facilities, Subpart C. Long Term Care Facilities, 28 Pa. Code §§201.1-201.3: 211.12(i), Long Term Care Nursing Facilities".

This letter is being sent on behalf of the residents we serve and the direct care staff of Sanatoga Center. Our nursing facility is a 130-bed facility located in Montgomery County, Pottstown, Pennsylvania. We employ 95 employees and provide services to 120 residents. As the Administrator, I can attest to our facilities commitment to providing high quality care and prioritizing the needs of the residents we serve each day.

After reviewing the proposed regulation, we have grave concerns regarding the amendments to increase the required minimum number of hours of general nursing care from 2.7 to 4.1 hours for each resident and excluding other direct care provided by essential caregivers.

We have been actively trying to recruit and maintain staffing ratios since the pandemic began at the current minimum of 2.7 hours of general nursing care per resident. We have offered bonuses to staff to work extra shifts, implemented hiring bonuses, referral bonuses, and perfect attendance bonuses. We have contracted with various agencies at a higher cost to maintain the level of care required at the facility. I feel that Agencies need to have some accountability to nursing homes when they have staff that can call out with no repercussions yet continue to charge exorbitant rates. An increase of 1.4 hours per resident per day would mean adding 21 shifts of 8-hour increments to our daily schedule. With the majority of our current residents in our facility being on Medicaid, funding the proposed increase would require additional funding to support.

In addition to this, the field of nursing statewide needs additional support. More schools need to open, lower tuition, and greater incentives available so candidates enter the nursing field. To increase hours of general nursing per resident into the equation is not realistic unless there is funding to support and a larger pool of nursing staff to acquire. We are entering an age where the second largest generation is going to need skilled care and with a 4.1 minimum in general nursing, you will be encountering an issue of how to care for all those people. Unless the resources are available to meet the demand, this is not a realistic regulation to implement.

In addition, we have many departments currently working that contribute to direct care. If seeking to increase the minimum, we need to factor in their impact as well. Recreation is in rooms' daily providing emotional support, talking with residents, engaging residents in their interests, which benefit their mental/emotional/psychological wellbeing. They are leading exercise groups, art programs, cooking groups, and challenging their intellect to maintain memory function just to name a few examples. Our dieticians and speech therapists are working one on one with patients to improve their nutrition and meal consumption outcomes. Our physical and occupational therapists are working directly with patients to increase their strength, endurance and abilities. Our social workers are in rooms counseling residents and assisting them to maintain their highest level of social connection. To limit direct care to strictly nursing is to miss the holistic approach to care that occurs within the long-term care industry. It is because of these auxiliary departments we are able to provide the standard of quality care that we do.

Thank you for your time in reviewing and considering our comments. We are hopeful that the Department will amend the provisions contained in §211.12(i) in a manner that will address the concerns raised in our comments.

Sincerely,

Rosemarie Cockill  
Regional Center Executive Director