



Housing and Health Care Community

August 19, 2021



Lori Gutierrez, Deputy Director
Office of Policy
625 Forster Street, Room 814
Health and Welfare Building
Harrisburg, PA 17120

Dear Lori Gutierrez,

I am writing to voice my concerns over the proposed changes requiring nursing homes to increase staff from 2.7 Nursing Hours Per Patient Day (NHPPD) to 4.1 NHPPD on each shift.

As a non-profit long-term care provider, our standards for care have guided us to operate at a level of approximately 3.5 NHPPD. The 4.1 NHPPD on each shift is an unreasonable increase, which does not necessarily equate to quality care and is not affordable.

COVID-19 has provided us with numerous challenges in caring for our frail elderly population. There are many circumstances beyond the control of long-term care providers, including substantial challenges with personal protective equipment, availability of testing, and staffing hurdles. The current staffing crisis impacts our ability for all nursing (and Healthcare) providers to hire sufficient staffing. We had to limit our admissions to our facilities due to the lack of adequate staffing. Our residents have had to stay in more expensive hospital settings.

The proposed legislation also should include expanding the DOH definition of direct care staff to meet the Centers for Medicare and Medicaid Services (CMS) definition. This definition should include therapists, people that assist in feeding our residents, and others that provide care to our residents.

The proposed legislation does not say when it will be effective. This would certainly change our method of operations. We recommend at least a year's notice to allow us to be able to hire adequate staffing or to allow us time to limit or reduce our bed complement. Sadly, this means taking beds out of our census and creates another barrier to care for the growing elderly population of the State of Pennsylvania which is cited directly from the proposed regulations.

The biggest concern to the proposed legislation is the ability for Nursing Homes to financially afford to operate at this level. **Nursing facilities have failed to receive an increase in the Medical Assistance budget in 6 of the last 8 years.** Our facility is underfunded in excess of \$88.00 per patient day for Medical Assistance residents. Naturally, this staffing level will lead to increased costs, resulting in higher per day charges, leading residents to spend down assets faster, and need Medical Assistance sooner! The Department feels this will not have an effect on private citizens, yet this will certainly increase the cost of care.

With this legislation, our fear as providers, is additional nursing facilities will close or reduce the number of available beds. This will lead to more hospitalizations. We have seen the closing of Charles Morris nursing facility and the sale of Abramson Center and St. Mary's East facility. Sadly, the outcome will be more nursing homes closing. Please consider these in modifying the proposed legislation.

Sincerely,

Janet Dubich
Admissions Case Manager
Brevillier Village Foundation

