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Stephen Hoffman

Form Letter B 1-21

From: DH, LTCRegs <RA-DHLTCREGS@pa.gov>
Sent: Friday, August 20, 2021 2:58 PM
To: IRRC
Subject: Public Comment – proposed long term care nursing facility regulation – Reg#10-221
Attachments: DOH_Reg#10221_WeekEnding_08.19.21_1.zip; PHCA Form Letter 3.pdf; SEIU Form Letter 2.pdf

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Good afternoon,

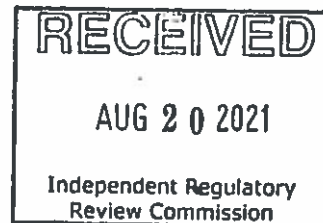
Attached is batch 1 (of 2) of public comments received by the Department of Health for Proposed Long Term Care Nursing Facility Regulations #10-221 from Friday, August 13, 2021 through Thursday, August 19, 2021. (The second batch will be sent in a separate email due to attachment size limits.)

From August 13, 2021 to August 19, 2021, the Department received 753 copies of the attached form letter we have identified as "SEIU Form Letter 2." This form letter is identified on the IRRC website as "FORM LETTER A 1-649."

From August 13, 2021 to August 19, 2021, the Department received 21 copies of the attached form letter we have identified as "PHCA Form Letter 3."

Sincerely,

Lori Gutierrez
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To Whom it May Concern,

As a member of the long-term care community, please accept this letter of comment against the recently proposed Department of Health regulations: Rulemaking 10-221 (Long-Term Care Facilities).

After reviewing your proposed regulation, I have concerns regarding the mandatory increase of the minimum number of general nursing care hours from 2.7 to 4.1 for each resident.

Contrary to the federal regulation as written by the Centers for Medicare and Medicaid Services (42 CFR 483.70(q)(1)), this proposed state regulation does NOT account for direct care workers who are critical in delivering daily care to residents, including therapists (PT/OT/ST), dieticians, social workers, recreational therapists and others.

This direct care is essential and should be counted in any staffing calculation. Not including this care intentionally sets an unachievable goal for long-term care providers.

Providers are also currently facing a dire staffing crisis nationally. Workers qualified to join the long-term care workforce do NOT exist. Providers in other states have been unsuccessful at achieving similar regulations. This mandate will force nursing home providers to recruit workers from other services in the long-term care continuum -- if they can afford to survive and do so.

I implore you to prudently address any regulatory concerns. We are hopeful the provisions contained in §211.12(i) will be amended to address the concerns of our sector.