



From: [Keith E. Frndak](#)
To: [DH, LTCRegs](#)
Cc: [Keith E. Frndak](#); [Charla Oesterling](#)
Subject: [External] Comments on Proposed Nursing Home Regulations
Date: Wednesday, August 18, 2021 12:25:08 PM

***ATTENTION:** This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to CWOPA_SPAM@pa.gov.*

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

Dear Ms. Gutierrez,

My name is Keith Frndak, and I have been the President and CEO for Concordia Lutheran Ministries for over 37 years. Concordia operates six nursing facilities in Western Pennsylvania. Concordia also received the state's highest quality award in 2012 for decades of excellent service.

I'm writing to express my concern over the proposed increase in nursing hours. Although I agree with you and the Pennsylvania Department of Health that 2.7 hours is too low, the proposed increase to 4.1 hours is currently not realistic. I will explain my position and recommendation below:

- A. The painful reality is that nursing hours are currently dropping due to the six-year rate freeze on Medical Assistance. Imagine working in a world of 5.5% – 6% health care inflation with no increase for 50% of your residents. I believe the proposed nursing hours increase will raise expenses for the average Pennsylvania facility by over \$50 a patient a day; some over \$60 a day.**
- B. Concordia is currently offering extreme hiring bonuses - \$5,000 to \$10,000 for nurses and less for nursing assistants – and we already pay in the top 10% in the state. We have many unfilled openings now and are fighting to keep over 3.5 – 3.6 hours per patient day. On weekends, it is nearly impossible to hold our minimum goal of 3.5 hours.**
- C. Skilled nursing providers like Concordia also have multi-year contracts with insurers such as Highmark, UPMC, Aetna and United Healthcare that do not permit reimbursement changes, even if the provider's costs dramatically increase.**
- D. There are simply not enough staff to meet the proposed new standard of 4.1 hours per day. Wage inflation will spike, providers will fail financially or**

sell to low quality providers.

- E. Please consider my recommendation to modify your new requirements to 3.1 or even 3.2 hours. It is a fair compromise that will not so severely shock the system. Even at 3.2 hours, the current six-year rate freeze must be corrected ASAP.**

There are many more points that I would like to discuss with you, and would be very pleased to have a friendly conversation about this issue. You can contact me by email at kfrndak@concordialm.org or by telephone at 724.352.1571 ext. 8320. And, I am sure that my assistant would be happy to schedule a brief ZOOM meeting for us to discuss.

Best wishes to you as you wrestle with this problem and wishing you wisdom in determining the best solution.

Sincerely,

**Keith E. Frndak
President/CEO
Concordia Lutheran Ministries**

This message was sent from Keith E. Frndak with a valid internal Concordia email address and is safe to open. The information included in this E-mail may contain confidential information, belonging to the sender that is legally privileged. This information is intended for the use of the individual or entity named above. The authorized recipient of this information is prohibited from disclosing this information to any other party and is required to destroy the information after its stated need has been fulfilled. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or action taken in reliance on the contents of these documents is strictly prohibited. If you have received this E-mail in error, please notify the sender immediately. Thank you