



HCR ManorCare

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

August 15, 2021

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 Nursing Facilities".

This letter is being sent on behalf of the residents we serve as well as the direct care staff of Promedica Skilled Nursing and Rehabilitation of Laureldale, PA. Our nursing facility is a 198 bed facility located in Berks County, Pennsylvania. We employ close to 170 employees and provide services to 160 current 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 and every 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 hours to 4.1 hours for each resident and excluding other direct care provided by essential caregivers.

While I wholeheartedly agree that staffing is the root of quality care and the subsequent well-being of our residents, this mandate does not seem to take into account the labor shortage present even prior to the COVID-19 pandemic, which only worsened the pool of healthcare workers available to Pennsylvania's nursing homes. This difficulty is only compounded by the ever-increasing emergence of staffing agencies and their ability to increase the wages of frontline workers, which is really paid by the nursing facilities that need to utilize agency staff.

Recruitment, retention and constant education of staff will always remain a priority for our facility, as it should. Grassroots movement is needed to recruit young people into the nursing profession. Skilled nursing is not a glamorous setting. Our patients/residents are more acute, more behaviorally complex and oftentimes verbally and/or physically abusive. What we really need is a partnership with the Pennsylvania Department of Health to assist in recruitment and education of frontline skilled nursing staff. This begins with increased funding, but does not end there. Too often is the relationship between a skilled nursing facility and the Department of Health adversarial and punitive. We need to come together for the sake of those we serve by collaboratively coming up with solutions to the staffing crisis not just in skilled nursing, but in all of healthcare.

This proposed mandate does not reflect the above-mentioned partnership. What it does demonstrate is a hard-lined, "you figure it out" approach to fixing a known issue. This proposed mandate is unfunded, unrealistic and does not take into account the multiple departments available to our residents every day (therapy, Social Services, Recreation, etc). Until we realize that we are all in this together, the problem will only perpetuate. I appreciate you taking the time to read this letter. I pray you take it into account and amend your views on the proposed changes.

Sincerely,

Jonathon Hykes, NHA

Jonathon Hykes, NHA
Administrator