



Barclay Friends

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August 13, 2021

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

Dear Deputy Director Gutierrez:

I learned with dismay about the Department of Health's proposed regulations to increase the required staffing ratios for skilled nursing facilities from 2.7 to 4.1. This new ratio will not affect Barclay Friends directly, because we already staff at this higher level. However, other facilities will need to increase their staffing to meet this new ratio, adding further competition for an already scarce pool of qualified labor. Where exactly does the department believe these additional nurses and CNAs will come from? Right now, Barclay Friends is having great difficulty recruiting RNs, LPNs and CNAs to fill our current vacancies, despite paying competitive wages and benefits, and offering a great workplace environment. Our hiring managers receive few qualified responses to online job listings; few candidates who actually show up for scheduled interviews; and poor quality of those candidates who do arrive for interviews. The talent "pool" is in actuality, a talent "puddle." And that puddle has dried up substantially during the pandemic. You must be aware that the shortage of qualified healthcare workers is a national shortage, affecting not just Pennsylvania, but the entire country. Why do you think PA nursing homes will be able to find the staff to meet this new higher staffing ratio??

I understand the Department's desire to improve the quality of care in nursing homes by increasing the ratio of staff to residents. But without a more comprehensive approach that includes increased training programs for new nurses and CNAs, immigration reform to increase the pool of qualified foreign-born workers, and increases to the Medicaid reimbursement rate, this new regulation will have potentially catastrophic effects.

Even if nursing homes could find enough workers to meet this new ratio, nursing homes in PA are grappling with profound economic consequences resulting from the pandemic. This new regulation will cause further economic harm and could affect the ability of many nursing homes to continue to operate. Barclay Friends operates at or above a 4.1 HPPD ratio. *And* we participate in the Medicaid program. As a result of staffing at this ratio, our overall costs of care are high, and therefore, we **lose an estimated \$150 per day on each MA recipient** in our community. This means that Barclay Friends subsidizes the care of our MA recipients, for a total

of approximately \$2 Million per year. We consider it our mission to care for those in our community who would not otherwise be able to afford to live in a 5-star high quality nursing home such as Barclay Friends. The fact that we have private pay residents enables us to sustain the losses resulting from our MA residents. But other nursing homes with fewer private pay residents will not be able to afford the cost of a 4.1 HPPD. What provisions are being made by the department to care for the residents of nursing homes that will close outright due to inability to afford a 4.1 HPPD ratio with the low amount reimbursed by Medicaid for this care? Are there other resources available in PA to care for those residents asked to leave their current nursing homes?

While noble in intent, this proposed regulation is extremely short-sighted and not very well thought out. It represents only one third of what is needed to increase the quality of care for PA's nursing home residents. The other two-thirds of this formula include increasing the pool of qualified workers and increasing the MA reimbursement rate to cover the cost of higher staffing ratios.

Increasing staffing in nursing homes makes for great headline news. I saw the coverage given to the announcement of this propose new regulation. But what will the headlines say when nursing homes throughout Pennsylvania are forced to close and older Pennsylvanians are forced to find new living arrangements?

I would appreciate hearing more about the Department's plans to address the consequences of this proposed new regulation. In my opinion -- and reversing the statement made by a Department of Health official at the press conference-- **4.1 cannot be done**.

Sincerely,



Linda M. Sterthous
Executive Director

CC: Senator Carolyn Comitta, Representative Dianne Herrin