



Health &
Rehabilitation
Center

August 12, 2021

Dear Ms. Lori Gutierrez, Deputy Director,

I have reviewed the recently published Department of Health (DOH) Pennsylvania Bulletin regarding a proposal to update nursing facility regulations.

The proposed regulations seek to require nursing homes to increase the requirements for staff from 2.7 Nursing Hours Per Patient Day (NHPPD) to 4.1 NHPPD.

As an Advisor to the Board of Directors at LGAR Health and Rehabilitation Center in Turtle Creek, Pennsylvania, I am writing to express my concerns about this possible regulatory change and the additional unknown regulatory changes that may be forthcoming.

Our organization's Leadership has worked diligently to try to recruit and retain staff during these unprecedented eighteen months of the pandemic. We harbor an excellent reputation for serving the elderly in our local area, have a high percentage of tenured staff, have supportive physicians and families, have an experienced leadership team and offer higher than competitive wages and benefits.

In spite of these facility attributes, we have been recently unsuccessful in obtaining staff and as a result have not been able to admit residents who have requested to come to our facility. Our staff, who have remained and worked in excess of forty hours a week for the past eighteen months, have demonstrated commitment to our residents and colleagues by coming to work while also managing their homes and teaching their children. They are weary. They are exhausted.

And they wonder, as do I, how the Department of Health can determine we must increase our Nursing Hours Per Patient Day at a time when the health care staffing crisis is the worst it has been in decades.

As an experienced long term care professional, I would like to know the credentials of the Pennsylvanians making this proposed regulation change. How many of this panel have actually worked in a long-term care facility during the pandemic? Been caregivers, been leaders who have spent hours upon hours completing redundant reports for our state and federal governments, been leaders who received several new "rules" per day from your department on how to respond to the virus, consoled families and residents who could not see each other for months, consoled staff who were scared of the virus but pressed through their anxiety to take



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care of our elderly and who worked for entire shifts garbed in hot protective clothing and tight face masks, held the hands of residents as they died of COVID?

Our organization would welcome more staff to enhance our programs and care services. Conceptually, we support a higher Nursing Hours Per Patient Day number. But I do not believe the Department of Health has performed true due diligence. This regulation is not achievable in this current employment, education and economic environment. Additionally, we have not been provided any detail of other pending regulatory changes so how can our Leadership prepare a plan for any other possible regulation changes?

My recommendation to the department of health is to halt the energy that has been channeled into this regulation conversation and redirect that energy to resolving the employee base crisis. We have jobs waiting in our facility. We have citizens of our country and state who, because of well-intended but poorly administered economic support programs, have lost the impetus to work. Direct your skills, knowledge and political accesses to requiring those who choose to sit at home to return to work.

Then I will be glad to listen to the Department of Health talk about increasing Nursing Hours Per Patient Day in long term care.

I can be contacted at 412-825-9000 for further discussion.

Sincerely,

A handwritten signature in blue ink that reads "Marcia Yesko". The signature is written in a cursive style.

Marcia Yesko NHA MA BSN RN

Advisor to the Board of Directors, LGAR Health and Rehabilitation Center