



**From:** [Susan Cusack](#)  
**To:** [DH, LTCRegs](#)  
**Subject:** [External] Proposed staffing regulations for nursing facilities  
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Lori Gutierrez, Deputy Director, Office of Policy

My name is Susan Cusack. I have been in healthcare for over 40 years. I am a nurse who has worked at the bedside and in administration. I currently teach leadership to our newest leaders in a variety of universities. I share this information so that you understand why I feel I can comment on the proposed changes the Department of Health is recommending for nursing facilities. I will outline my concerns.

<!--[if !supportLists]-->• <!--[endif]-->There is already a profound shortage of nurses and CNAs – nationwide. Nursing homes who need to increase to 4.1 hours per patient day will have great difficulty finding additional staff to meet the new requirement. Nursing facilities cannot additional staff now so increasing the staffing levels will worsen the situation. There is also the risk of taking staff from acute care hospitals leaving them with a worsening shortage

<!--[if !supportLists]-->• <!--[endif]-->Many nursing homes that staff at the lower level of 2.7 are those that serve a Medicaid population. Medicaid reimburses nursing homes at such a low level, these nursing homes will have a hard time making budget if they are forced to staff at 4.1 hours per patient day.

<!--[if !supportLists]-->• <!--[endif]-->Increasing the required staffing without also increasing Medicaid reimbursement rates will make this new regulation an impossibility for many nursing homes in PA.

<!--[if !supportLists]-->• <!--[endif]-->Many nursing homes will close, and the state has made no provisions for other care for the elderly who will be pushed out. If home care is the proposed alternative, that's great. But home care agencies are also struggling to find workers.

I applaud the state for trying to improve the quality of care in nursing homes, but this approach is only part of what is needed. They also need to help increase the pool of workers and they need to increase Medicaid reimbursement.

Why do I care, because I care about all the seniors in the Commonwealth, and I would be distressed to see nursing homes close due to an inability to meet the new requirements? There is already a shortage of care facilities for our seniors particularly at a time when baby boomers are aging. I believe nursing facilities need appropriate staffing but mandating it will only create further problems.

If you look to what the mandating of nursing levels in California did to organizations in that state, you will see that it is not a solution. Hospitals in the underserved areas were forced to close, the hospitals continue to struggle to find staff and the outcomes have not generated other states to follow suit. If it was the answer to their problems certainly research would have encouraged others to accept the practice.

I would ask you to pursue other solutions. Help nursing facilities to enlarge training programs, find ways to recruit staff into the field and identify other ways to provide high quality of care without putting unrealistic regulations on them.

I hope you will look at this issue seriously. I am concerned about our healthcare system in general and know there are many areas that need to be addressed to continue to provide high quality care and

increase access. But I repeat this will only create more problems.

Sincerely,

Susan Cusack RN, MSN, PhD

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