



From: [teresa guido](#)
To: [DH.LTCRegs](#)
Subject: [External] Public Comment Rule Making 10-221
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August 30, 2021

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

VIA EMAIL to: RA-DHLTCRegs@pa.gov

Re: Rulemaking 10-221 (Long-Term Care Facilities, Proposed Rulemaking 1) 28 PA Code Chapters 201-203 and 211

Dear Deputy Director Gutierrez,

Please accept these comments from a Registered Nurse working in a Long Term Care facility, an eternal optimist, and a human being who wakes up every day wanting to do right for our elders (and for our future elders). Thank you for this opportunity to offer comment and thank you specifically for the proposed increase to the minimum number of direct care hours from 2.7 to 4.1.

The need for more care hours is a resounding "Yes!!" for me. There are also a number of professional organizations and advocacy groups that represent the residents (vs the industry) offering their support too. For example, The Office of the Long Term Care Ombudsman has cited "...complaints related to staffing have been in our top three complaint categories for the last three years." We need more care hours for those residents who may not receive their incontinence care as frequently as they need it because the staff doesn't have time to provide the two-person assist that a lift requires for a safe transfer.

We need more care hours for all of the nursing aides and nurses who are walking away from the bedside because the workload is too much and their hearts can no longer take not being able to give all of the attention and care the resident needs, because there aren't enough staff to help.

Pennsylvania has led the nation before with introducing changes in nursing home regulations. In the 1980's, The Kendal Corporation in Kennett Square was thanked by the U.S. Senate Special Committee on Aging for being "...instrumental in preaching the gospel of restraint-free care". The Untie the Elderly: Quality Care Without Restraints campaign, was successful in reducing the use of restraints in nursing homes. It's exciting to think we could be at the cusp

of another huge reform in an attempt to make nursing homes better!

Concerns:

Deleting the definition of abuse. The State Director of AARP PA wrote, in regards to 201.3, "We recommend the Department ensure alignment in the definition of abuse from current state law . Instead of deleting the definition, cross-reference with appropriate state regulations and statutes." I agree with this recommendation.

Language used when referencing the Centers for Medicare and Medicaid State Operations Manual (SOM). Guidance and interpretations indicated in the SOM can't be regulations and my concern is the inclusion of the SOM will be interpreted as regulation.

This is my first time writing a public opinion, and I hope my references to other submissions that I agree with are appropriate.

I look forward to reading about the proposed recommendations to infection control. I think many of us in this business want to do what's right for our seniors. We know we need nursing home reform. We are dealing with really hard problems and it's going to take collaboration. I look forward to the start of this and I encourage the voices of the Interdisciplinary Team to speak up.

Thank you for your time and consideration.

Respectfully,

Teresa

Teresa Guido Cox, RN