



**From:** [MacIntosh, Melissa](#)  
**To:** [DH, LTCRegs](#)  
**Cc:** [advocacy@phca.org](#)  
**Subject:** [External] Rulemaking 10-221 (Long-Term Care Facilities, Proposed Rulemaking 1)  
**Date:** Monday, August 30, 2021 1:46:21 PM

---

**ATTENTION:** *This email message is from an external sender. Do not open links or attachments from unknown sources. To report suspicious email, forward the message as an attachment to [CWOPA\\_SPAM@pa.gov](mailto:CWOPA_SPAM@pa.gov).*

8/30/2021

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

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 Care Nursing Facilities".

This letter is being sent on behalf of the residents we serve and the direct care staff of **Pennsburg Manor**. Our nursing facility is a **120** bed facility located in Montgomery County, Pennsylvania. We employ **>125** employees and provide services to 120 residents. As the **CNE** 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 to 4.1 hours for each resident and excluding other direct care provided by essential caregivers.

At this time, due to the Pandemic, our nursing facility has been challenged every single day with staffing concerns to say the least. We struggle everyday to ensure that the needs of our residents continue to be met to the highest degree. We personally take a great deal of pride in being an ongoing 5 star facility whose staff habitually go above and beyond the "ordinary" to provide optimal care to those residents who chose us. Choosing to increase HPPD will only set us up for failure in the eyes of our residents and the community. This will hold true not only for our particular building but for all nursing homes who are struggling to find staff members and/or retain staff members. It will be a downward spiral for our industry.

Imagine the amount of concern/complaint visits that will be placed d/t the inability for any nursing/rehab facility to uphold a 4.1 HPPD. Staffing shortages/challenges have affected all levels of nursing. We are all currently working more than we thought we would need to just to "maintain".

Thank you for your time in reviewing and considering our comments. We are hopeful that the Department will amend the provisions contained in §211.12(i) in a manner that will address the concerns raised in our comments.

issy MacIntosh RN, BSN  
Center Nurse Executive, Genesis Healthcare  
Pennsburg Manor

This e-mail and any attachments may contain information which is confidential, proprietary, privileged or otherwise protected by law. The information is solely intended for the named addressee (or a person responsible for delivering it to the addressee). If you are not the intended recipient of this message, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this e-mail in error, please notify the sender immediately by return e-mail and delete it from your computer.