



From: [John Meacham](#)
To: [DH, LTCRegs](#)
Subject: [External] PA Department of Health Proposed Nursing Facility Regulations
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I am writing to you as a retired NHA who worked for over 30 years in an inner city not-for-profit nursing facility with a Medicaid population that exceeded 90%.

The current 2.7 NHPPD maybe in some cases inadequate, but increasing to 4.1 NHPPD will have many unintended consequences.

In my experience, most not for profit homes operated above the 2.7 NHPPD threshold, usually in the 3.2 to 3.5 NHPPD range.

On the heels of the COVID-19 crisis, it is extremely difficult if not impossible to hire nursing staff as evidenced by the help wanted signs in front of most nursing facilities. In other words, there is a very real and troubling nursing staffing crisis and this proposed regulation would only exacerbate it.

Under current Medicaid reimbursement, nursing homes who serve a primarily Medicaid population are struggling to meet payroll. They will not have the ability to hire or pay for additional staff to meet 4.1 NHPPD. So any increase in NHPPD hours, also needs a companion regulation to fund these additional costs, not a theoretical lick and promise to do so.

Another major unintended consequence is that minority and poor populations will be more severely impacted by these regulations because their access to quality nursing home care will be limited. A majority Medicaid facility cannot raise their private pay rate to cover the increased costs that legitimately should be borne by Medicaid. Wealthy individuals will always have the ability to pay for long term care, because they have the resources. Minority and poor individuals do not have the same opportunities. This amounts to a classist and racist policy.

Everyone wants good quality nursing care for our vulnerable elderly, however just increasing a number to 4.1 NHPPD is not the way to do it, as there are too many unintended consequences.

This was proposed as the first part of a five part reform package. I think the Department would be better served by outlining the other proposed regulations, and then introduce the NHPPD as the last of the five parts not the first. This would give the Department time to address the inherent unintended consequences.

Sent from my iPad