



From: [Susan Teconchuk](#)
To: [DH, LTCRegs](#)
Subject: [External] IRRC 10-221 NHPPD proposed regulation changes
Date: Monday, August 30, 2021 4:26:14 PM

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August 30, 2021

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

Via email: RA-DHLTCRegs@pa.gov

Dear Ms. Gutierrez,

I am writing to express concern on the proposed regulations related to IRRC 10-221, specifically the increase from 2.7 to 4.1 Nursing Hours Per Patient Day.

Concern # 1: Lack of available nursing staff. The current staffing crisis faced by all employers across the nation has made hiring and retaining staff beyond difficult. Our facility, along with countless others, has had to turn to outside employment agencies to fill positions. However, these staff are also not available because they are in such high demand. Furthermore, of the most recent 4 candidates scheduled at our facility, not one of them showed up to work for various reasons.

Concern #2: Increased complexity of residents' needs. The current NHPPD direct care resident hours calculation does not consider hours delivered by other skilled, licensed, or specialized providers with appropriate competencies and skills sets. The PPD definition could be expanded to include other disciplines such as allied health professionals, mental health and physical therapists, and staff with certification in areas such as dementia, peer support and activity therapy.

Concern #3: Lack of available funding. Our facility's bed days are approximately 60% Medical Assistance funded. Our rate is substantially under our daily costs. Tying the increased PPD to nursing staff only will require additional staff costs to recruit, hire and retain nursing staff.

Concern #4: Timing of promulgation: As noted in the IRRC proposed regulations, "the total additional nursing assistant staff hours needed to bring each MA facility up from 2.7 to 4.1 direct care hours is 15,986,835". The supply of these hours will not meet the demand; please consider providing at least 1 year from the publication of the final regulations to comply with an increase in staffing minimums.

I applaud the Department for its work to support quality long-term care services. While existing regulations have had few if any changes in 24 years, the delivery of healthcare services has made significant advances in physical, social, emotional and behavioral health. Any regulatory staffing changes at this time should consider all areas of a resident's deterrents of health.

Thank you and the Department, in advance, for your thoughtful consideration of all of the comments.

Susan Teconchuk, CEO
Warren County Rouse Home

Susan Teconchuk
Chief Executive Officer
The Rouse Estate

701 Rouse Avenue
Youngsville, PA 16371

O: 814-563-6403
C: 814-392-1083
F: 814-563-6725

