



**From:** [Yakich, Tina](#)  
**To:** [DH.LTCRegs](#)  
**Cc:** [advocacy@phca.org](mailto:advocacy@phca.org)  
**Subject:** [External] Re: Rulemaking 10-221 (Long-Term Care Facilities, Proposed Rulemaking 1)  
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8-16-2021

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 Transitions Healthcare North Huntingdon, LLC. Our nursing facility is a 120-bed facility located in Westmoreland County Pennsylvania. We employ 120 employees and currently provide services to 105 residents. As the Administrator, 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. Recruiting staff for long term care has always been a challenge; however, since the onset of the pandemic, recruiting staff has been significantly more challenging. Adding to the challenges is the aging workforce. As a result of the pandemic, our aged workers chose to leave the profession.

We are asked to have a full labor force yet the lack of current funding does not enable the long term care community to meet that goal. Any organization that is staffing challenged during current funding will be significantly challenged with a mandated increase of staffing with no additional funding for that mandate.

Our organization has worked diligently to adequately staff our facility. For recruitment and retention, we developed a recruitment and retention committee that has offered initiatives such as bonus structures, creative and flexible scheduling, career ladders, mentor programs, competitive wages and benefits all within the financial ability of

the organization. With all the initiatives, we still required agency staff to supplement our staff due to the lack of workforce. Long-term care organizations are financially unable to continue to support agency staffing on an ongoing basis.

Direct care staff duties include providing for the basic needs of the resident. The resident basic needs also include mental health, physical health, and nutritional well-being. Although these basic needs fall under the direct care hours of nursing assistant, these services can also be provided by other disciplines and should be counted in direct care hours. Hospitality aides can pass snacks, pass food trays, fill water pitchers and transport residents to therapy, activity programming and family visitations. Activity staff provide mental stimulation and is vital to prevent isolation and depression. Dieticians are the specialists for dietetic needs and wound healing. Physical, Occupational and speech therapists are hands on direct care for rehabilitation.

Our organization assures adequate care and staffing and adjusts staffing daily to meet resident needs.. Residents in nursing homes are increasing in acuity. Residents are seeing more physicians and specialists which increases the need for diligence. We meet daily to review resident clinical and psychosocial information and provide interventions for clinical improvements or decline. We also conduct a facility assessment that is a picture in time to identify any additional education or competency opportunity. Our admissions team works hand in hand with nursing to assure those residents coming to our facility have the needed equipment and staff have the needed education or skills. We have a monthly Quality Assurance Process Improvement Committee that reviews Quality Measures and Quality Initiatives. Our organization has invested in clinical platforms that assists with real time information for quicker clinical responses to prevent decline and hospital admissions. All initiatives are supported by the leadership of the organization.

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.

Sincerely,

**Tina Yakich**  
**Administrator**  
**Transitions Healthcare North Huntingdon**  
**P-724-864-7190**  
**F-724-864-6063**

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