



October 25, 2022

Dear Commissioners,

On behalf of both the Pennsylvania Health Care Association (PHCA) and SEIU Healthcare Pennsylvania, which represent long-term care providers and workers throughout the commonwealth, we write to express our support for the Department of Health's Final Regulation No. 10-224.

To put it simply: Pennsylvania nursing homes are in crisis. The COVID-19 pandemic exacerbated and amplified pre-existing challenges related to funding shortfalls and workforce shortages, and caused many nursing home providers to sell their operations, reorganize, change ownership, or close their doors for good. This has resulted in an access to care crisis, in which vulnerable senior citizens throughout the commonwealth are unable to find care in a nursing home.

To combat these challenges, state legislators and Governor Tom Wolf worked together in 2022 to protect our aging population and invest in our long-term care workforce by allocating one-time stimulus funds and a historic Medicaid reimbursement increase to the front lines of the pandemic.

Just as important, we worked with those same legislators and Governor Wolf to find common ground on staffing in nursing homes, and ensuring high-quality care in Pennsylvania.

The Department of Health's Final Regulation No. 10-224 represents the compromise between long-term care providers, laborers and elder advocates to set our industry on a path to sustainability.

In July 2021, providers and workers' unions were divided over the initial regulatory proposal related to staffing, which would have raised minimums in nursing homes from 2.7 to 4.1 nursing hours per patient day (NHPPD), an aggressive target that was unachievable due to funding constraints and available workforce.

After providers, workers and elected leaders joined together at the bargaining table, a compromise was reached to raise staffing to 2.87 PPD in 2023, and 3.2 PPD in 2024. Additionally, and perhaps more importantly, staffing ratios will be implemented for CNAs and LPNs, which will ensure that our frontline caregivers know exactly how many residents they'll be caring for on a given shift.



With the support of Pennsylvania's Governor and General Assembly, this infusion of new, recurring funds will assist in making the 2023 PPD and staffing ratio attainable. And as we continue to invest in our workforce, appropriating an additional \$100 million in state Medicaid funds in the 2023-24 state budget will help ensure that the final staffing standards outlined in this regulatory proposal will be achievable and sustainable.

As we attempt to emerge from the COVID-19 pandemic, we have the opportunity to shape a brighter future for long-term care in Pennsylvania. We respectfully request your support for the Department of Health's Final Regulation No. 10-224.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Yarnell".

Matt Yarnell - President, SEIU Healthcare PA

A handwritten signature in black ink, appearing to read "Zach Shamberg".

Zach Shamberg - President & CEO, Pennsylvania Health Care Association (PHCA)