



The Rhode Island Assisted Living Association
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July 8, 2020

Chairman Marvin Abney
House Committee on Finance
State House – Room 35
Providence, RI 02903

Re: Opposition to House Bill 7624 – An Act Relating to Health and Safety – Nursing Home Staffing and Quality Care Act

Dear Chairman Abney:

On behalf of the nineteen members of the Rhode Island Assisted Living Association that also operate skilled nursing facilities, I write to express our respectful opposition to House Bill 7624.

Long term care providers have faced significant challenges in recent years: UHIP, the transition to a new Medicaid non-emergency medical transportation vendor, consistent and significant underfunding by the Medicaid program, and now the COVID-19 pandemic. With the help of our dedicated staff, we have and will continue to rise to these challenges and provide the high-quality long-term care services that our residents and their families have come to expect.

Cutting edge health care practice examines the needs of the patient and then builds a care team from across disciplines to address these unique needs. H-7624 does the opposite, it puts into law required hours of nurses and CNAs with no flexibility to tailor individualized care. This legislation will place an untenable and unfunded burden on our members that operate skilled nursing facilities.

It is important to note that Rhode Island's nursing homes are providing high quality care to our state's most frail residents. They are already required to have "sufficient nursing staff" to assure resident safety, and to attain or maintain "the highest practicable" well-being of each resident. This requirement is enforced with regular and periodic unannounced inspections. The federal agency that regulates nursing facilities, CMS, measures and reports on staffing adequacy for each nursing home in the U.S. Rhode Island's nursing homes rank **eleventh in the country** for staffing adequacy. Only Maine ranks higher among the New England states. When the professional nurse hours and the needs of residents are taken into account, CMS rates Rhode Island's nursing homes average 3.67 stars in staffing. That is higher than the 3.35 stars for New Hampshire, Vermont at 3.5 stars, Connecticut at 3.7 stars and Massachusetts at 3.19 stars on the same measure. The national average is 2.9 stars.

Moreover, those who suggest that staffing adequacy is determined only by the total hours of nursing care provided per resident per day, miss the mark in an important way. The needs of the resident is the most important data point needed to assess staffing quality and quantity. To that end, Rhode Island has the second highest average number of professional nurse hours per



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resident per day in New England. **Likewise, CMS ranks Rhode Island's nursing homes second in the nation for overall quality.**

Our members that operate nursing homes are providing high quality care. Rather than help Rhode Island's nursing home residents and workers, this bill will place an unsustainable and unfunded mandate on our state's nursing homes, cost jobs, and put financially vulnerable homes at risk of closing. Please do not move forward with this legislation. Nursing home leaders need the authority and flexibility to make sustainable changes that support the team in providing quality care, not this proposal.

Thank you for the opportunity to provide these written comments on H-7624. Please do not hesitate to contact me with any questions.

Sincerely,

Kathleen Kelly

Kathleen Kelly
Executive Director
RI Assisted Living Association