



House Committee on Health and Human Services

March 26th 2024

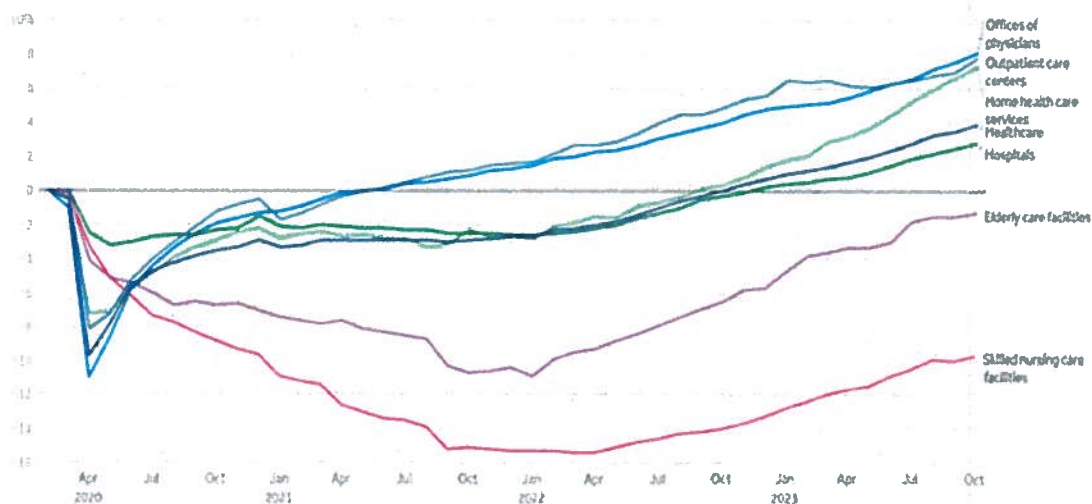
H 7520

Statement by James Nyberg, Executive Director, LeadingAge RI

On behalf of LeadingAge RI - whose membership includes non-profit nursing homes - we appreciate the intent of this bill to eliminate the minimum staffing ratio requirement for nursing homes. As we all know, the long-term care industry is enduring the worst workforce crisis in its history, in Rhode Island and across the country. As a result, despite our best efforts, including working with industry stakeholders like Healthcentric Advisers, RIDOH, and individual providers to develop a pipeline of workers, there are 64 out of 74 homes that have fallen short of the staffing ratio in Q 3 of 2023 according to our data. Moreover, per initial data from the RI Department of Health for a previous quarter, which had similar outcomes, nursing homes would have faced fines of over \$11 million in just one sample quarter. Lastly, these fines will increase going forward if homes are unable to meet the minimum staffing ratio. It simply makes no sense to impose fines on nursing homes as they struggle to recruit and retain workers and this bill will help clarify the existing situation.

This table clearly demonstrates the workforce shortage, it is based on data from the federal Bureau of Labor Statistics and shows that nursing homes are the one industry in health care that has struggled the most in trying to recover its staffing levels.

Cumulative % change in health sector employment by setting, February 2020 - October 2023



Note: All data is seasonally adjusted. Data for the latest two months are preliminary. BLS category for continuing care retirement communities and assisted living facilities for the elderly is labeled as elderly care facilities.

Source: Bureau of Labor Statistics Current Employment Statistics (CES) • Get the data • PNG

We respectfully urge you and your colleagues to rescue our nursing homes and provide relief from these penalties and the onerous staffing ratio by eliminating the current requirements and exploring an alternative approach to support our workforce efforts. The current fine-based approach is excessive and counterproductive and will lead to reduced access to care and threaten the survival of many homes. Indeed, current workforce shortages are already preventing nursing homes from filling open positions, limiting new admissions and forcing organization closures (six nursing homes have already closed since the COVID pandemic began and two more have embarked on significant downsizing). These challenges are also resulting in backlogs at hospitals, which are unable to discharge patients due to reduced capacity in nursing homes. We are working with numerous stakeholders on various initiatives to develop a pipeline of workers, but the simple fact is that it will take time. In addition, as you know, the industry has faced years of underfunding from Medicaid, which pays for the majority of nursing home care. The underfunding has gotten significantly worse since the Covid pandemic as labor costs have significantly risen. This has made recruiting and retaining workers more difficult than ever.

Our homes have endured numerous challenges over the decades, but the minimum staffing ratio and associated fines are simply unsustainable for many in the industry and need to be addressed immediately.

Thank you for your consideration.