



Rhode Island Health Care Association

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2025 – H 5257

AN ACT RELATING TO HEALTH AND SAFETY – NURSING HOME WORKFORCE STANDARDS ADVISORY BOARD

Date: March 27, 2025

Position: Oppose

This testimony is submitted on behalf of the Rhode Island Health Care Association (RIHCA). RIHCA is a trade association that represents sixty-two (62) of the nursing facilities in the State of Rhode Island, representing 80% of the profession.

RIHCA opposes Senate Bill 118. This legislation would set a precedent, establishing an Advisory Board with a narrow and ill-defined mission and fails to recognize the myriad of challenges facing nursing homes in Rhode Island and across the nation. These include chronic Medicaid underfunding, skyrocketing costs, a historic workforce shortage, and the existing staffing mandate that is unfunded and fails to address the workforce crisis and includes draconian fines and penalties. Notably, this bill also eliminates the sunset provision that was included in last year's version of the bill – creating a forever board.

This bill would also replicate the many layers of existing oversight authority that exists at both state and federal levels – including the Centers for Medicare & Medicaid Services (CMS), the Occupational Safety & Health Administration (OSHA), the RI Executive Office of Health & Human Services (EOHHS), the RI Department of Health (RIDOH), and the RI Department of Labor & Training (DLT) among others.

As is evident in each legislative session, all parties have sufficient access to the legislature, leadership, the Governor and state agencies to voice their support or opposition to various initiatives and advocate accordingly.

Nursing homes should not be singled out from all other health care sectors. As proposed, the composition of the Board is lopsided against nursing home operators. Operators would have three (3) representatives. There would be two (2) Department Directors, three (3) representatives of nursing home workers, the Secretary of EOHHS, the Long Term Care Ombudsman, two (2) members representing community organizations that work with Medicaid, and one (1) member representing a “joint labor-management multi-employer non-profit training fund.” To be honest, we do not even know what a “joint labor-management multi-employer non-profit training fund” is. Operators would be just 3/13 members – 23% of membership.

In Minnesota, which first established a Workforce Standards Board, recommendations from the board have resulted in large-scale strikes at nursing facilities in support of recommendations of their board that were unrealistic and unfunded. Other recommendations have resulted in prolonged court cases. It has been highly disruptive. Rhode Island certainly does not need any more chaos.

“Setting the Pace in Nursing Home Care”

A non-profit organization of proprietary and non-proprietary long term health care facilities dedicated to improving health care of the convalescent and chronically ill of all ages. An equal opportunity employer.

Instead of layering on yet another oversight board, there needs to be a comprehensive solution to the current environment of care facing RI's nursing homes. This strategy should include workforce training programs, student loan forgiveness for RI nursing home professionals including RNs, LPNs and CNAs who are trained and choose to remain in RI to work in long-term care settings. Reimbursement from Medicaid must be increased and remain adequate to cover the increasing cost of care in all settings. Nine (9) RI nursing homes have already closed just since the start of the pandemic, largely due to inadequate Medicaid funding and the staffing crisis that has impacted nursing homes disproportionately since the start of the Covid pandemic.

Changes are needed to address the staffing mandate passed back in 2021. That bill was passed in the midst of the Covid-19 pandemic without addressing the workforce crisis and failing to provide sufficient funding that would be needed to layer in sufficient staff to meet the mandate – that is IF those staff could be found. If fully implemented and enforced, staffing fines would amount to more than \$100 million in the first full year of enforcement – closing the majority of facilities, displacing thousands of vulnerable residents from their homes and devastating access to care for RI seniors.

The Governor has led on this issue by suspending staffing penalties through Executive Orders. He also submitted Article 10, Section 2 of the FY26 Governor's Budget.

Without this type of comprehensive solution, there will be no nursing homes in operation in RI.

RIHCA opposes this bill and asks that the committee vote against it.

Thank you.

A handwritten signature in black ink, appearing to read 'John E. Gage', with a stylized flourish extending to the right.

John E. Gage, MBA, NHA
President & CEO