

## **President Biden's Plan to Improve Quality in Nursing Homes Offers Little Hope for Meaningful Reform**

March 4, 2022

On Wednesday, March 2<sup>nd</sup>, President Biden announced a [plan](#) to improve the quality of care in nursing homes. Like anyone who cares about America's older adults, we support the overall goal of quality, transparency and improved staffing levels. We are disappointed with the President's overall tone and specific approaches for achieving the objectives: mandating staffing levels, pouring more money into hiring government surveyors, and raising penalties for regulatory noncompliance. This not only presumes that providers deliberately limit staff and skimp on quality care, but it also takes us in the wrong direction.

Our country's failure to adequately fund Medicaid, the federal-state program that is the primary payer of nursing home care, has created an untenable situation. Here in Washington State, our skilled nursing facilities have been chronically underfunded for years before the pandemic with our state agency finding the gap between funding and the cost of care is in excess of \$115 million annually. This means the per patient day rate is approximately \$35 per day, on average, less than what it costs to provide care, pre-COVID. Nearly three-quarters of all skilled nursing facilities in our state have negative net operating capital. Workforce shortage challenges, nationally and here at home, existed before COVID with job vacancies reported in 40% of all nursing positions across the health care sector.

Every American knows that the cost of living has increased in the past two years. Our workforce demands, and indeed deserves, better compensation. Skilled nursing facilities are not immune from higher food, supplies, and staffing costs. While we always struggled to compete against hospitals and other health care sectors for staff, competition has stiffened as we now also compete against the hospitality, restaurant and big box stores for a workforce that has shrunk. Many of our front line staff are women who had to leave their jobs because they didn't have child care. Facilities tried to compensate for the added child care costs and many created child care solutions so essential staff could continue to work. All these initiatives add to providers' costs.

Nursing homes are suffering. Many have closed or scaled back services. Without more funding, older adults and families cannot access much-needed care. Regulations, such as staffing mandates, without adequate financial and other support are meaningless – assuming that mandates are even effective in creating the desired change. Without increasing the pipeline of certified nursing assistants and licensed nurse candidates, and without improving the wages they are paid equal to the importance of their work in contributing to a just and caring society for all people, we will not succeed.

LeadingAge Washington is ready to partner with organizations interested in real change, but we cannot support higher staffing mandates without other actions. We must create more human capacity to care for our elderly and value and respect the work of our front line staff. When big box store stockers, bartenders, taxi and bus drivers are paid more per hour than what our government is willing to pay our certified nursing assistants to care for our parents and grandparents, government is part of the problem; they must step up and partner with us for change.

Here at home, under the House budget proposal, our state is poised to make a historic investment in skilled nursing facilities that will support higher wages to front line workers and provide a life-line to these facilities, many of whom are struggling to make payroll. [Please see last week's [Advocacy News](#) for funding details.] Our state leaders also recognize that mandating higher staffing ratios now is both unrealistic and unachievable until the state addresses reforms in our training and education systems, credentialing processes and provides funding to support retention and recruitment efforts in a hyper-competitive labor market.

A final thought on the President's plan. Framing all nursing homes as needing to improve is inaccurate and a disservice to all those who have put their own and their family members' lives at risk in service to older adults' well-being. Yes, some providers are subpar. They must be weeded out. The failure to separate the good from the bad results in solutions that are shotgun style, dragging every facility through these same burdensome compliance steps, taking resources away from care. These solutions, while well-intended, will not be effective.

To solve the problems faced by skilled nursing facilities, we need to engage innovative thought leaders from providers, consumer and worker representatives, and regulators to reform the survey and enforcement system and the regulatory environment in which nursing homes operate. We need real investments in long term care. It is time to change course and work together to rebuild our long term care system from the ground up.

Respectfully,

A handwritten signature in blue ink that reads "Deb Murphy". The signature is cursive and fluid.

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