

Unfunded Minimum Staffing Requirement for Skilled Nursing Facilities (SNFs) Could Cause Seniors to Lose Access to Vital Care

Nursing homes are currently grappling with a historic labor crisis. Since the beginning of the pandemic, nursing homes have lost more than 220,000 caregivers, or more than 14% of its workforce. This job loss is worse than any other health care sector, and workforce levels are now at a nearly 30-year low. Staffing challenges in long term care existed prior to COVID-19, and the pandemic exacerbated them into a full-blown crisis. Caregivers are burned out after fighting the virus for more than two years, and nursing homes lack the resources to compete for workers due to chronic government underfunding.

As a result of these staffing shortages, vulnerable seniors now have fewer long term care options. More than 6 in 10 nursing homes are limiting new admissions and nearly three-quarters are concerned their facility may have to close due to the staffing crisis. More than 300 nursing homes have closed over the course of the pandemic—many due to staffing shortages—and another 400 may soon close. The domino effect on seniors, their families, and our entire health care system is troubling. Seniors wait for days or weeks in hospitals for a space at a facility, and families are having to travel farther to visit their loved ones in long term care.

Nursing homes would love to hire more nurses and nurse aides, but we are currently grappling with a historic labor crisis and the people are not there. **Increasing staffing requirements at a time when we can't find the people to fill open positions is a dangerous policy.** Nearly every nursing home in the country is having trouble hiring staff due to a lack of interested or qualified candidates. Providers have dedicated every possible resource to recruit and retain caregivers, including increasing wages and offering bonuses. But nursing homes are chronically underfunded by Medicaid and current soaring labor costs are unsustainable.

A federal staffing minimum requires a significant, ongoing investment in our frontline caregivers. An analysis found that a staffing minimum of 4.1 hours per resident day would require \$11.3 billion to hire more than 191,000 additional nurses and nurses' aides. These proposals need to be fully funded, and with proper resources, nursing homes can offer frontline caregivers more competitive wages and benefits.

Increasing staffing minimums would make it harder for seniors to find the long term care they need. Ultimately, setting minimum staffing ratios without corresponding resources will further limit access to care for seniors. Nursing homes will have to continue to reduce the number of patients they can serve in order to meet ratio requirements, or close entirely. Nearly 450,000 residents (more than one-third) may be at risk of displacement, according to the analysis on staffing ratios.

We need a comprehensive approach to recruit and retain long term caregivers. An enforcement approach will simply not solve this long term care labor crisis. We need meaningful solutions that address the root causes of these chronic staffing challenges. We encourage policymakers to direct aid and enact policies that will help us build a pipeline of dedicated caregivers for our nation's seniors. AHCA's Care for Our Seniors Act includes thoughtful workforce policies that will help address nationwide nursing shortages, attract more caregivers to the profession, and support care professionals in developing a career in long term care. It includes proposals such as loan forgiveness, tax credits, affordable housing, childcare assistance, and immigration reform.

Additionally, there needs to be a comprehensive approach to staffing beyond numbers. **Every resident and nursing home is different, and a one-size-fits-all approach is not the solution.** Nursing homes need to be able to assess the appropriate staffing levels based on their number of residents and their specific needs. Moreover, policies should be investing in full-time, dedicated caregivers, not creating unintended consequences like increasing the use of costly agency or temporary staff in order to fill quotas.

TAKE ACTION:

Tell key decision makers (e.g., CMS and the Administration) that a nursing home staffing minimum requirement won't solve the long term care labor crisis and will only threaten access to critical long term care for our nation's seniors.

KEY FACTS:

- Nursing home workforce levels are at a nearly 30-year low.
- Without government assistance, it may take another 4 years for nursing homes to return to pre-pandemic workforce levels.
- 96% of nursing homes are experiencing difficulty hiring staff.
- Increasing the staffing minimum to 4.1 hours per resident day would require \$11.3 billion to hire more than 191,000 additional staff.
- Nearly 450,000 residents may be at risk for displacement as facilities would be forced to reduce their census to meet staffing ratios or close entirely.

