

Nursing Home Residents Need Your Support

New York's Minimum Staffing Hours Law is an empty promise without adequate funding and time to rebuild the workforce.

More than 12,000 new nurses and aides are needed to comply with new minimum staff hours requirements.

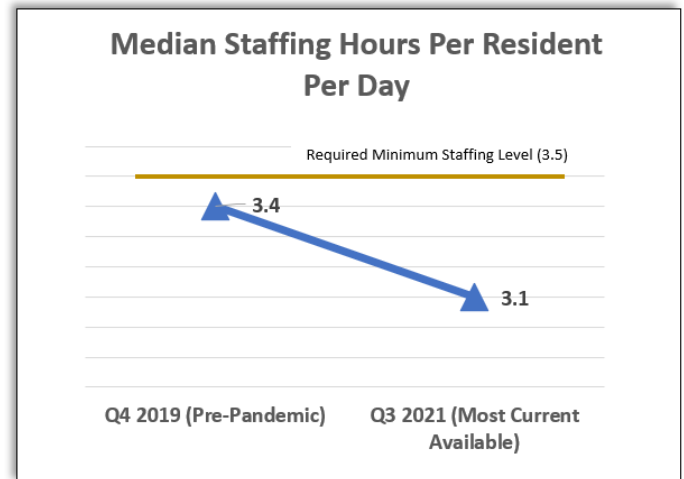
What's at Stake:

- Today, the staffing mandate is impossible to meet. There is a health care staffing emergency, recognized in an Executive Order.
- Payroll data show that 80% of homes cannot meet the mandate's unrealistic requirements.
- These data reveal that more than 12,000 new nurses and aides are needed to comply, after accounting for all mandates, days off, and increased admissions to free up hospital beds.
- Without a substantial increase in Medicaid rates to pay for competitive wages and time to recruit and train thousands of new nurses and aides, the mandate is an empty promise.
- Enforcing an impossible mandate during the staffing crisis will only result in heavy daily fines that deplete resources needed for staff wages and training.
- Enforcing the mandate now will drive strict limits on admissions of new residents, creating backlogs in hospitals that need to discharge patients.



How We Got Here:

- Medicaid pays for nearly 75% of the days of care nursing homes deliver, and Medicare pays for most of the rest. Nursing homes can't raise their prices to offer competitive wages like other sectors.
- There has been no COLA for nursing homes in 14 years, although costs have risen by 31%. In 2020, the Legislature enacted Cuomo's 1.5% cut to nursing home payments and an additional 5% cut to capital rates, despite skyrocketing costs due to the pandemic.



Nursing Home Residents Need You to:

- Provide a substantial increase in Medicaid rates to enable the state and nursing homes to recruit, train, and compensate the workforce needed to comply with this new requirement;
- Delay the enforcement of the 3.5 nurse hour staffing minimum for nursing homes to provide time for new staff to be trained and recruited; and
- Authorize the use of medication aides in the nursing home, as proposed by the Governor, and as is already permitted in approximately 25 other states.

Better Nursing Home Staffing **DEMANDS** Better Funding

LeadingAge NY nursing home members from across the state need time and resources to be able to comply with the 3.5 nurse staffing hours mandate.

“Inadequate reimbursement from Medicaid has been a concern for nursing homes for years...Without adequate funding, it is next to impossible for nursing homes like Gurwin to attract, hire and retain quality staff when we are competing in the same marketplace as hospital systems and other businesses with more resources to expend. **Now, more than ever, we need the support of our legislature so we can continue to care for our most vulnerable citizens in the way that they deserve,**” said Stuart B. Almer, President and CEO, Gurwin Healthcare System. *(Long Island, NY)*



“**The current long-term care workforce crisis is dire and will not be solved easily.** Loretto was honored to receive National Guard troops in early December at the recommendation of the NYS Department of Health to help us decant patients from our strained hospitals. This success demonstrates our flexibility and innovation in coming up with new staffing models – **but their assistance is temporary.** The need remains acute.” says Kim Townsend, CEO of Loretto. *(Syracuse, NY)*

“Nursing homes, and long-term care in general, have been chronically overlooked and under-funded within the State Budget process for over a decade – and it shows.... Now on top of our COVID-19 financial losses and inadequate Medicaid payments from the state, **we stand to be penalized for being unable to comply with unattainable staffing standards,**” says Michael McRae, President and CEO of St. Ann’s Community. *(Rochester, NY)*

“Nurse staffing shortages had been increasing year over year before the COVID pandemic. It is no surprise that the pandemic has made this challenge exponentially worse for nursing homes trying to attract workers.... **Our seniors and staff alike deserve to see more adequate funding provided to nursing homes** so that we can use those funds to attract, recruit, and retain the nursing staff we need.” says Jason Santiago, COO of The Manor at Seneca Hill. *(Oswego, NY)*

“**Even as the state has pushed forward with re-opening, we have not been able to get our staffing levels back to where they were in 2019. Now on top of it all, we have these brand-new staffing mandates looming and ready to come into effect.** Older adults who need nursing home or assisted living services deserve attentive, skilled, and compassionate care. **It is New York’s responsibility to provide the resources we need to deliver on that promise** and enable us to pay our dedicated direct-care staff the wages and compensation they deserve,” says Chris Koenig, CEO of Niagara Lutheran Health System. *(Lancaster, NY)*

“My organization has over 50 full and part time open nurse and CNA positions that we have not been able to fill for 12 months. We provide excellent benefits and a supportive workplace, but we simply can’t compete for staff....**Vacant positions means vacant beds – severely limiting access to service for those who need it most,**” says Andrew Cruikshank, CEO of Fort Hudson Health System. *(Northern Capital Region, NY)*

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