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## **Wolf Administration Announces Proposed Nursing Home Regulations Focused on Increased Quality of Care for Residents and Workers**

*State takes progressive steps to continue protecting vulnerable nursing home residents*

**Harrisburg, PA** – Wolf Administration officials today shared proposed nursing home regulations focused on increasing the quality of care received by residents by increasing the minimum direct care hours by 1.4 more hours each day. The current skilled nursing facility regulations have not been updated since 1999.

“Revising nursing home regulations is one piece of the administration’s ongoing effort to improve care for residents and working conditions for staff in nursing homes,” said Acting Secretary of Health Alison Beam, during a news conference at Homeland Center in Harrisburg.

Beam, who was joined by leaders of four cabinet agencies as well as a nursing home worker and resident, noted this is the first in a series of five packages of proposed regulations that are based on the latest research, input from subject matter experts and industry stakeholders and informed by lessons learned during the COVID-19 global pandemic.

With the announcement the department has submitted the first installment of proposed nursing home regulations to the General Assembly, the Independent Regulatory Review Commission and the Legislative Reference Bureau. The next step is for the first package of proposed regulations to be published in *the PA Bulletin* by the end of July which starts a 30-day public comment period. The department encourages all interested stakeholders, including industry groups, resident advocates, and the general public to comment on the proposed regulations. Once published, comments may be submitted to the Department of Health via email: [RA-DHLTCRegs@pa.gov](mailto:RA-DHLTCRegs@pa.gov).

“The Wolf Administration is looking at long-term care in a comprehensive manner and we are committed to getting the proposed updated regulations through the regulatory review process by the end of 2022,” added Beam. “Nursing home regulations have not been updated in nearly 25 years. Given the magnitude and importance of the regulations for more than 72,000 nursing

home residents and their families, publishing the proposed updates in packages will allow each section the opportunity for appropriate feedback during the public comment period.”

The department plans to submit the final-form regulations once all five packages of updates move through the state’s regulatory review process. The regulations will apply only to the 692 licensed skilled nursing facilities regulated by the Department of Health. Personal care homes and assisted living homes typically housing residents with less acute health care needs are regulated by the Department of Human Services under separate regulations.

The first package of proposed regulations focuses on adding 1.4 required hours of direct care for residents each day to increasing the minimum standard from 2.7 to 4.1 hours within a 24-hour period.

“For many years, residents and long-term care ombudsmen have recognized and reported what more than 100 national studies and reports have shown, that the current minimum staffing requirement in Pennsylvania falls short of meeting the needs for quality of care and quality of life,” said Department of Aging Secretary Robert Torres. “As Pennsylvania’s senior population continues to increase, these overdue updates will help ensure that skilled nursing facilities provide residents with high-quality care now and in the future.”

The package also requires skilled nursing facilities to comply with the U.S. Centers for Medicare & Medicaid Services (CMS) regulations and requirements. This will make the Department of Health’s oversight process more efficient, create consistency and eliminate confusion in the application of standards.

“Skilled nursing facilities are both homes and caretakers, and we must be sure that these facilities are structured and staffed in a way that can deliver the level and quality of care that residents require and deserve,” said Acting Human Services Secretary Meg Snead. “Our priority must always be what is best for resident care, especially as we continue to learn from and seek to strengthen defenses for nursing homes and long-term care facilities in light of the pandemic. These revised and enhanced regulations will help make this possible.”

“Residents, their loved ones, and advocates have long raised concerns about the quality of care and ultimately, the quality of life that is afforded under existing care mandates,” said State Long-Term Care Ombudsman Margaret Barajas. “We are elated that our collective voice has been heard. We will continue to advocate for adequate staffing levels and care to not only reduce or eliminate the consequences of inadequate staffing that often result in harm or even untimely death. Our goal is to uphold our nursing home residents’ fundamental right to person-centered care delivered with dignity and respect in a home-like environment.”

“Men and women who served our nation live at our six veterans homes, so it is imperative that we provide them with exceptional care as a thank you for their service,” said Travis Davis, NHA, MHA, HSE, executive director of long-term care at the Department of Military and Veterans Affairs (DMVA). “While the DMVA currently exceeds the direct care hours requirement for our residents, we are dedicated to meeting and exceeding the new standards. We applaud Acting

Secretary Alison Beam for proposing these changes. Our highest priority has been, and remains, the quality of care of our residents and the dedicated staff who serve them.”

Skilled nursing facilities and long-term care facilities were disproportionately affected by the impact of COVID-19.

“Robust and ongoing support for all skilled nursing facilities and long-term care facilities has been, and will continue to be, critical in the efforts to battle the pandemic and protect residents and staff,” said Beam. “Lessons learned during the pandemic are being incorporated into the new regulations.”

Support during the pandemic included the provision of personal protective equipment (PPE), infection prevention and control technical support, staffing support, outbreak response, and ongoing testing. This assistance was provided directly by the Department of Health and through the Regional Response Health Collaborative (RRHC) program and the Regional Congregate Care Assistance Teams (RCAT) coordinated by several state agencies.

The Department of Health is concurrently working on the other four packages of proposed regulations that will include proposed updates to other critical topics including change of ownership, staff development, staffing ratios and infection control and prevention. These packages will follow the same process for public comment as this first package of proposed updates.

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