



April 25, 2022

**To: House Committee on Health, Welfare and Institutions**

**From: Dana Parsons, Vice President & Legislative Counsel**

**Re: Comments – Nursing Home Staffing Standards**

I am writing you in advance of the House Health, Welfare and Institutions meeting April 27, 2022, to provide you LeadingAge Virginia's position on nursing home staffing legislation.

We appreciate the opportunity to provide comments on the nursing home staffing issues that have been considered and would like to focus our comments regarding our support for moving Virginia in the direction of supporting an option that was outlined in the Joint Commission on Health Care (JCHC) [study](#), *Workforce Challenges in Virginia's Nursing Homes*.

The JCHC study identified a quality crisis in certain Virginia nursing homes, and we believe implementation of option three is a positive first step toward rectifying this unfortunate situation. This option proposes the JCHC could introduce legislation to amend section § 32.1-127 of the *Code of Virginia* to require nursing homes to provide at least the number of expected total direct care hours and total RN hours calculated by the Centers for Medicare & Medicaid Services (CMS) based on resident acuity in each nursing home.

While this is not a formal staffing mandate, it sets an expected level of staff based on the needs of the residents in each nursing home. Requiring nursing homes to provide the number of expected care hours calculated by CMS based on acuity levels is a *person-centered approach* that will ensure residents receive the level of direct care that meets their needs.

Although legislation that included the acuity-based staffing model was introduced during the 2022 General Assembly, it was not the right time to implement it. We are still in the midst of a state and national direct care workforce crisis exacerbated by the pandemic. Adopting an acuity-based staffing model cannot be successful in isolation. This type of model requires an available and dedicated workforce. Therefore, the Commonwealth must also develop a plan to create a sustainable workforce of caregivers.

LeadingAge Virginia wants to partner with the state and find solutions together. We know that our nursing homes' residents receive the highest quality care when there is an appropriate number of professional caregivers to provide that care. We must seize the opportunity now to put care and services for older adults at the forefront by increasing the pipeline of professional caregivers and make working in long term care a desirable career choice.



Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Dana Parsons". The signature is written in a cursive, flowing style.

Dana Parsons  
Vice President & Legislative Counsel