



April 27, 2022 (submitted online at <https://hodspeak.house.virginia.gov>)

The Honorable Robert D. Orrock Sr.  
Virginia House of Delegates  
Pocahontas Building Room No: E309  
900 East Main Street  
Richmond, VA 23219

**Re: HWI Study of Nursing Home Staffing Standards**

Dear Chairman Orrock,

On behalf of Virginia Hospital & Healthcare Association (VHHA), please accept this public comment for the April 27, 2022, meeting of the Health, Welfare & Institutions Committee to consider state and federal policies related to nursing home staffing standards. As a general policy matter, VHHA is opposed to the implementation of mandated staffing ratios for any health care facility. Staffing effectiveness should be determined by the organization's staffing model, standards, and policies, providing appropriate flexibility for safe staffing based on the medical needs of patients and the patient care environment. Staffing structures that best serve this purpose are developed collaboratively using an agreed upon framework that reflects the organization's commitment to safe and effective patient care, support for caregivers, and fiscal responsibility.

While we understand and appreciate the intent behind legislation to mandate staffing ratios, we are concerned about the unintended consequences. The reality is nursing homes and other health care facilities are, and have been for some time, facing a shortage of nursing staff in the Commonwealth. This shortage has reached crisis levels due to COVID-19. Much of the gains that have been made over the last several years have been reversed with many nurses and other health care workers leaving the profession or seeking other employment due to the strains of responding to this pandemic.

In order to prevent unintended consequences, any efforts to increase staffing in nursing homes must be coupled with appropriate clinical staff workforce development initiatives and Medicaid rate reforms as necessary to help cover the costs of additional staff. We respectfully submit that an initial step in this direction is the Medicaid Nursing Facility Value-Based Purchasing Program authorized by the General Assembly to begin July 1, 2022. Metrics in this program are designed to incentivize increased direct care staff hours per resident that would help to promote improvements in this area. Specifically, the program will measure the number of days without a minimum number of registered nurse hours and the total nurse staffing hours per resident day (case-mix adjusted). This measure is expressed as a staffing ratio.

Thank you for considering this public comment as the Committee continues its work to improve the delivery of health care in the Commonwealth. We welcome the opportunity to further discuss our concerns with you and answer any questions that you may have.

Hon. Robert D. Orrock, Sr.  
April 27, 2022  
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Sincerely,

A handwritten signature in black ink, appearing to read "R. Brent Rawlings". The signature is fluid and cursive, with the first name "R." and last name "Rawlings" clearly distinguishable.

R. Brent Rawlings  
Senior Vice President & General Counsel  
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cc: Julie M. Dime, Vice President of Government Advocacy, VHHA