



## Workforce Policy Weekly

June 10, 2022

**Senate Bill Would Require Study on Nurse Staffing Agencies.** On June 6, Senator Kevin Cramer (R-SD) introduced legislation requiring a GAO study of nurse staffing agencies' impact on the healthcare field during the COVID-19 pandemic. LeadingAge supports this legislation. If enacted, the *Travel Nursing Agency Transparency Study Act* ([S. 4352](#)) would require GAO to conduct a study and report to Congress, within one year, on the business practices and the impact of hiring "travel" nurse agencies across the healthcare field during the COVID-19 pandemic. This LeadingAge [article](#) provides information on what the bill requires GAO to assess and links to a letter that LeadingAge and several long-term care and healthcare organizations sent to the White House COVID-19 Response Team requesting the federal government to look into exorbitant nurse staffing agency rates that came into practice during the COVID-19 pandemic. The article also has a link to a letter LeadingAge wrote to the FTC urging them to investigate nurse staffing agencies' conduct as a potential violation of antitrust and/or consumer protection laws. The article also links to a chart compiled by LeadingAge listing state bills that place prohibitions on price gouging by staffing agencies.

**Workforce a Central Issue in LeadingAge comments on FY 2023 SNF PPS proposed rule.** On June 9, LeadingAge submitted comments to the federal register on the FY 2023 Skilled Nursing Facility Prospective Payment System (SNF PPS) proposed rule. We opposed the PDPM parity adjustment, citing increased cost of care related to increased acuity, inflated cost of supplies and PPE, and increased staffing costs. We supported a permanent cap on wage index decreases, consistent with our comments on the Hospice proposed rule. We supported a change to infection isolation coding to include residents who are cohorted during active infection, and commented on several aspects of the SNF QRP and VBP programs. We provided feedback on mandatory minimum staffing centering on the fact that standards must be based on a current, relevant, staffing study and that CMS and other government partners must actively invest in the workforce instead of simply penalizing providers for the staffing crisis. Read full comments [here](#) and thank you to the members, state execs, and state staff who provided feedback.

**New House Caucus: 21st Century Long-Term Care Caucus.** On June 9, Representatives Bryan Steil (R-WI) and Ann Kuster (D-NH) announced the establishment of a new 21st Century Long-Term Care Caucus in the House of Representatives. LeadingAge looks forward to working with the new Caucus, which will be co-chaired by Representatives Steil and Kuster. "I'm pleased to join my colleague Congressman Bryan Steil of Wisconsin in forming the 21st Century Long-Term Care Caucus — together, we will work to identify and implement solutions to issues facing the long-term care sector and patient community," Representative Kuster said in a statement. "The COVID-19 pandemic exacerbated and pulled back the curtain on existing challenges, and now we have an opportunity to make meaningful changes to strengthen our nation's long-term care workforce, enhance the quality of care, and encourage new and innovative care options." "The 21st Century Long-Term Care Caucus is focused on ensuring our seniors are receiving the best care in our long-term care facilities. I'm proud to join Congresswoman Annie Kuster in launching this caucus," Representative Steil said. "The COVID-19 pandemic has shined an important light on the challenges our long-term care facilities are facing." According to Representative

Kuster, the 21st Century Long-Term Care Caucus is a “solution-focused coalition of members working to put partisan politics aside to deliver real solutions for our nation’s long-term care providers and patients.” The caucus will host regular meetings with members and stakeholders to identify areas for improvement and advance legislation to make a real difference for our communities. Stakeholders should encourage their Representatives to join the Caucus.

**Trio of Bills Would Reduce Healthcare Employment Barriers for Immigrants.** On June 9, Representatives Adam Smith (D-WA) and Lucille Roybal-Allard (D-CA) introduced three bills to help alleviate health care workforce shortages across the country and reduce employment barriers for immigrants who want to work in the health care field. The Immigrants in Nursing and Allied Health Act, [HR 8021](#), would help immigrants, regardless of whether they have any previous health care experience, get the financial support they need to enter nursing and allied health careers including nursing, mental and behavioral health, and other health care professions. The International Medical Graduate Assistance Act, [HR 8022](#), would help reduce barriers that international medical graduates face when trying to complete the necessary training and certification to receive a U.S. medical license. The Professional’s Access to Health (PATH) Workforce Integration Act, [HR 8019](#), would offer training and counseling opportunities to internationally trained health professionals who are U.S. citizens, or immigrants legally residing in the U.S. while educating employers on the abilities and capacities of health professionals who have been educated overseas. Read more about the bills in this [article](#).

**Home Health News Reports on Ease in Staffing Issues.** Home Health Care News [reported](#) that staffing issues have eased somewhat in home based care settings. The article interviewed a number of providers, including LeadingAge member Dorothy Davis of VNHS in Atlanta, about why the past 90 days have seemed a little bit better on the staffing front. They’ve heard from employees that inflation has had an impact on people’s decisions regarding their jobs. Additionally, the contract work of traveling is becoming tiresome and people are reverting to wanting full time positions. Finally, the end of COVID relief funds of various stripes has meant that hospitals and others have had less money to pay for travel nurses. One other major factor is the retailers that were the main competition for aides – Amazon and Walmart for example – overhired during the winter Omicron surge and now are laying people off or at least stopping hiring. While all of these trends are anecdotal, we will continue to monitor them and would love to hear from members if hiring has picked up at all.

**Report Calls for States to Raise Home Health Worker Wages.** A [recent](#) report by the Economic Policy Institute found state wages for home care workers must increase to a range between \$19.58 and \$28.98 an hour. The report includes new state-by-state estimates of what home health care workers should be paid and how close each state is to meeting that wage.

**Interested in Pursuing a Master Plan on Aging in Your State?** The Center for Health Care Strategies released a new tool today, [Developing a Master Plan for Aging](#). Many LeadingAge state partners and members have watched California develop, promote and begin to take action on a Master Plan on Aging (MPA). An MPA is a cross sector, state led strategic planning resource that can help states transform the infrastructure and coordination of services for their rapidly aging population, as well as people with disabilities. Stakeholders, even those in states that might have developed more traditional aging plans in the past, see hope for more progress and organized strategies through this approach. The new tool

outlines the core tenets for how to develop an MPA in your state, with best practices and state examples throughout.

**Use of ARPA Funds for Workforce Development.** Want to see how other state and local governments are using their American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds for workforce development? Trackers from the National Council of State Legislatures, the National Association of Counties, and the National League of Cities might not be perfect but they can give stakeholders examples of ARPA use for workforce development that could be replicated by local governments. The NCSL tracker is [here](#); the joint NaCo / NLC tracker is [here](#).

**Appropriations Votes Scheduled; LeadingAge Workforce Asks.** The House Committee on Appropriations has scheduled a June 23 mark up of its Subcommittee on Labor, Health and Human Services, Education, and Related Agencies fiscal year 2023 funding bill; the bill will then be considered by the full House Committee on Appropriations on June 30. LeadingAge has several workforce development asks before the Labor-HHS Subcommittee for FY23 funding, including:

- Funding for the National Health Care Workforce Commission authorized by ACA.
- \$150 billion for a Medicaid HCBS Expansion, which would allow states to implement plans to strengthen and expand the HCBS workforce.
- \$1.6 billion to HHS to support staffing wage subsidies, tuition assistance, childcare and transportation assistance to aging services workers (as proposed in the
- \$1 billion to the Administration on Community Living for Direct Care Workforce Competitive Grants (as proposed in the Supporting Our Direct Care Workforce and Family Caregivers Act (S. 2344) and the Direct CARE Opportunity Act (H.R. 2999)).
- \$20 million to ACL for the Direct Care Work Force Technical Assistance Center.
- Funding for the Centers for Medicare and Medicaid Services to study on-site nursing staff coverage, as specified in the Nursing Home Workforce Training Grants.
- Funding for the Departments of Health and Human Services and Education to jointly develop and implement an aging services training program for high school students.
- \$40 million for the Health Profession Opportunity Grants to reauthorize and expand the grants that train low-income workers for high-demand jobs.
- \$30 million in funding for Palliative Care and Hospice Education and training, and \$20 million for Hospice and Palliative Nursing.
- \$350 million for individuals to carry-out nontraditional apprenticeship programs, including serving individuals with disabilities or non-traditional apprenticeship populations

**Nominate a Nurse Leader for the 2022 Joan Anne McHugh Award.** June 17 is the deadline to nominate a nurse leader for the Joan Anne McHugh Award for Leadership in Long-Term Services and Supports (LTSS) Nursing. Are you looking for a way to acknowledge an outstanding Director of Nursing (DON) or Assistant Director of Nursing (ADON) in your organization? Nominate them for the Joan Anne McHugh Award for Leadership in Long-Term Services and Supports (LTSS) Nursing. The McHugh Award recognizes a DON or ADON who creates a supportive and engaged workplace environment by displaying excellent leadership skills while managing nursing and frontline staff. The winner of the McHugh Award receives: \$1,000 to be used for professional development; complimentary registration and travel for the 2022 LeadingAge Annual Meeting & EXPO, which takes place Oct. 16-19, 2022, in Denver, CO; and, national

recognition during the event. June 17 is the deadline to complete an online nomination for the award. Additional information can be found [here](#).

**Monday Coronavirus Update Call. New vaccines, new boosters, and new variants as we head into summer, what does it all mean?** On **Monday, June 13**, at 3:30pm ET, we will be joined by **Dr. Jeffrey Shaman**, professor, Environmental Health Sciences (in the International Research Institute for Climate and Society/Earth Institute), and director, Climate and Health Program, Columbia University, to discuss what we can expect and to answer your questions about new boosters and vaccines. If you haven't registered for LeadingAge Update Calls, [you can do so here](#). You can also find previous call recordings [here](#). Note that to access recordings of the calls you need a LeadingAge password. Any staff member of any LeadingAge member organization can set up a password to access previous calls and other "members only" content.