

Upcoming LeadingAge Coronavirus Calls. All calls are at 3:30 PM ET. How about a partnership with an Ombudsman program that finds a way to bring frontline workforce issues to the fore, that seeks to elevate the role and increase recruitment and retention? Join us on **Monday, February 6** to hear how Brenda Gallant, Executive Director of the Maine Long Term Care Ombudsman Program created and operationalized the "Power of Care" campaign. The objective of the campaign is to engage and empower direct support professionals. Brenda will talk about [results](#) of a series of direct support professional focus groups conducted as part of the work and how the report led to the creation of the Advisory Council. **Everyone needs help coming back from the isolation of the pandemic, finding their next normal. Aging services providers face additional layers of challenges supporting the older individuals they serve in reestablishing social connection and community.** On **Wednesday, February 8**, we look forward to talking with Evan Cudworth, a "Party Coach" who teaches people how to address social anxiety and optimize work and life integration. 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.

LeadingAge Tells Congress to [Get Real on Ratios](#). LeadingAge is sharing the following resources on staffing ratios in nursing homes: : a [statement to the media](#); [talking points](#), the [policymakers handout](#); and the link to additional information on the LeadingAge [website](#). This issue is also featured on the [LeadingAge](#) homepage and will soon appear on the Nursing Home and Advocacy pages. Nursing homes will not be able to meet any federally set staffing ratios without additional reimbursement and a sufficient supply of workers seeking jobs in the economy. LeadingAge sent word to Congress on January 30, outlining six conditions that must be met if CMS is going to mandate staffing ratios in nursing homes. The conditions are:

- The Medicaid fee for service reimbursement rate must cover at least 95% of the cost of care.
- In Medicaid Managed LTSS states, the state would have to set a benchmark rate equal to at least 95% of the cost of care.
- The Secretaries of Labor and Health and Human Services would have to certify that there is not a shortage of potential employees qualified to work in LTC settings.
- Standards are flexible enough to meet the needs of the residents being served.
- A national public health emergency is not in place.
- Staffing ratio mandates include waivers for local emergency conditions.

On February 1, LeadingAge transmitted a letter to Congressional leaders requesting legislation that includes our six common sense conditions before mandatory nursing home staffing ratios could be implemented. The letter was transmitted to House Speaker Kevin McCarthy, House

Minority Leader Hakeem Jeffries, Senate Majority Leader Chuck Schumer, and Senate Minority Leader Mitch McConnell. The letter was also sent to all House and Senate committees and subcommittees with jurisdiction over nursing home staffing mandates. [Click here to download and read the full letter.](#)

Education and Workforce Committee Outlines Oversight for 118th Congress. On January 31, following the Education and the Workforce Committee’s Organizational Meeting for the 118th Congress, Chairwoman Virginia Foxx (R-NC) released their “[Submission of Oversight Plan of the Committee on Education and the Workforce.](#)” The plan “formalizes” how the Committee will lead aggressive oversight in its areas of jurisdiction. The Oversight Plan also highlights the priority issues under the committee’s jurisdiction which include labor standards and statistics, work incentive programs, regulation or prevention of importation of foreign laborers under contract, and wages and hours of labor.

The Committee’s Oversight Plan includes several areas, including the Department of Labor’s (DOL) workforce development programs and, specifically, reviewing the policies and expenditures of apprenticeship programs operated by DOL and evaluating the various programs under the Workforce Innovation and Opportunity Act (WIOA). WIOA provides workforce services for eligible adults and helps employers meet their workforce needs. The Plan also lists DOL’s “Workplace Safety and Health” under the Occupational Safety and Health Administration’s (OSHA) as an area that will be addressed. The Committee will make an effort to review further attempts by OSHA to promulgate a COVID-19 standard for the health care industry. You can access the Oversight Plan of the Committee on Education and the Workforce [here.](#)

CMS Resources on Strengthening the Direct Care Workforce. The Centers for Medicare & Medicaid Services (CMS) has released an online training course and a series of resources that offer strategies and information on [self-direction](#) of home and community-based services (HCBS), strengthening the direct service workforce (DSW) in rural areas, and emerging strategies for states. CMS notes, “Direct care workers, also referred to as direct service workers, provide essential supports to older adults and people with intellectual and developmental disabilities, physical disabilities, and behavioral health needs.” The online training and reports are summarized here:

- [Recruiting, Selecting, and Retaining Direct Service Workers to Provide Self-directed Home and Community-Based Services \(HCBS\)](#): Online training that provides information to people who self-direct or wish to self-direct their HCBS and others interested in finding, hiring, and retaining workers.
- [Strengthening the Direct Service Workforce in Rural Areas](#): Report that summarizes the challenges of ensuring an adequate workforce in rural areas and strategies that state Medicaid and partner agencies and rural stakeholders can use to deliver high-quality HCBS.
- [The Self-direction Briefing Paper Series](#): Resources designed for policymakers and stakeholders to inform conversation and policy on HCBS self-direction.

- [Emerging Strategies for States](#): DSW Learning Collaborative summary of themes, challenges, and strategies from state Medicaid and partner agencies participating in CMS' 2021 DSW State Medicaid Learning Collaborative.

Expanded H-2B Visa Cap Reached for First Half of FY 2023. On January 31, the U.S. Citizenship and Immigration Services announced the cap has been reached for the additional 18,216 H-2B visas made for returning workers for the first half of the fiscal year (FY) 2023, with start dates on or before March 31, 2023, under the [recently announced](#) H-2B supplemental cap temporary final rule. Some LeadingAge aging services providers consider H-2B visas as a means to employ short-term personal care aides, nursing assistants and home health aides, among other positions. USCIS recently began accepting H-2B petitions under the Dec. 15 temporary final rule increasing the cap by up to 64,716 additional H-2B nonimmigrant visas for fiscal year FY 2023. Of the 64,716 additional visas, 44,716 were available only for returning workers. The remaining 20,000 visas are set aside for nationals of Haiti, El Salvador, Guatemala, and Honduras who are exempt from the returning worker requirement. Petitioners whose workers were not accepted for the 18,216 returning-worker allotment are encouraged to file under the Haiti, El Salvador, Guatemala, and Honduras allotment while visas remain available. Additional information on the FY 2023 supplemental visas is available on the USCIS [Temporary Increase in H-2B Nonimmigrant Visas for FY 2023](#) page.

LeadingAge will continue to advocate for federal legislation that would implement a new H-2 temporary work visa category for aging services and organizations serving people with disabilities.

Public Health Emergency (PHE) to End on May 11. According to a Statement of Administration Policy (SAP) issued by the White House Office of Management and Budget, the COVID Public Health Emergency will end on May 11, 2023. The SAP was issued in reaction to House legislation under consideration this week to immediately end the COVID PHE and the President's national emergency declaration. [The full SAP can be viewed here.](#)

Now Available On-Demand: Communications Strategies to Boost Employee Recruitment. If you missed last month's LeadingAge "Opening Doors to the Aging Services Workforce Webinar," watch now on-demand for comprehensive strategic guidance on how to distinguish your organization's workforce recruiting efforts. You'll receive access to tools and original market research to help your organization communicate the attractiveness of working in aging services. [Learn more on the LeadingAge Learning Hub.](#)