

August 17, 2023



The Honorable Joseph R. Biden  
President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Biden,

I am writing on behalf of LeadingAge members, including nonprofit, mission-driven nursing homes. We request that, concurrent with the release of the proposed rule mandating minimum staffing levels for nursing homes, the Administration demonstrate that nursing homes are not expected to shoulder the entire burden of a problem that is faced across the nation's economy: not enough workers to fill positions in retail, hospitality, food service, and health care.<sup>1</sup>

We share your goal of improving nursing home quality for the older adults we care for and serve. There simply aren't enough workers to fill open positions. Holding nursing homes to a standard that is impossible to meet because there are not enough workers in the country, then fining them for not meeting that standard, is going to force quality of care down—not improve it.

The critical workforce shortage reverberates throughout the entire health care system, affecting access to care in all settings. For example, mission-driven nursing homes that are unable to hire enough staff are forced to limit new admissions or even close. That leads to backlogs at hospitals because they are unable to discharge patients to post-acute, long-term care facilities.

I respectfully suggest that the Administration demonstrate its interest in addressing this larger challenge, not just in fining nursing homes and holding them to a standard that they cannot possibly attain on their own.

**Concurrent with releasing the staffing rule, please convene a roundtable of long-term care experts, providers, consumer representatives, labor economists, and demographers to identify targeted steps the Administration can take to improve job quality and expand the pool of applicants for positions in nursing homes.**

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<sup>1</sup> The entire health care sector is experiencing serious workforce shortages, which were only exacerbated by the COVID pandemic. According to a study released by the National Council of State Boards of Nursing, approximately 100,000 registered nurses left the workforce during the past two years due to stress, burnout, and retirements. Further, the nursing assistant workforce lost more than 56,000 jobs from 2020 to 2021 – the largest single-year decline in the past decade – according to a study conducted by PHI.

Mandating minimum staffing levels will not lead to meaningful quality improvements and outcomes without enough qualified workers to fill open positions or adequate reimbursement levels to pay them a living wage. It is critical that we make investments in our health care workforce, now and into the future, by building domestic and international pipelines of well-trained, professional caregivers.

There is no silver bullet to fix the workforce crisis facing health care providers. It is going to take a range of solutions to solve these problems. Some ideas that might be considered by roundtable participants include:

- Offer incentives to expand training and advancement opportunities, including apprenticeship programs, to expand domestic pipelines.
- Make meaningful changes in immigration laws to make it easier for more health and long-term care workers to enter the United States and fill occupational shortages.
- Reduce regulatory burden and enhance flexibility to increase the number of staff, rather than punish and fine organizations for not having enough workers.
- Address and prohibit price gouging by staffing agencies that are taking advantage of health and long-term care providers who have no choice but to pay outrageously high prices for hourly help and who ultimately face closing their doors.

We understand and share your commitment to improving the quality of long-term care in America. Residents, patients, providers, regulators, and policymakers all have a part to play in this effort. You are uniquely positioned to convene stakeholders to develop a collaborative and coordinated strategy to solve the nursing home staffing crisis.

I request a meeting with you at your earliest convenience to discuss this idea.

Sincerely,

A handwritten signature in black ink that reads "Katie Smith Sloan". The signature is written in a cursive, flowing style.

Katie Smith Sloan  
President and CEO  
LeadingAge