

Nursing Homes

Oppose Minimum Staffing Standards

Nursing homes face persistent workforce shortages that echo across aging services. Registered nurse staffing shortages are anticipated by the Health Resources and Services Administration (HRSA) to persist well into the future.

Without timely investment in workforce development and fair reimbursement rates with which to recruit and retain qualified staff, federal minimum staffing standards are unrealistic and unattainable. Nursing homes that are unable to meet staffing standards will be forced to turn away residents regardless of the competence and skills of existing qualified staff.

- Oppose the *Nurses Belong in Nursing Homes Act* (S 3886), which would require nursing homes to provide 24 hours per day, 7 days per week of registered nurse coverage and 3.48 hours per resident, per day (HPRD) of total nurse staffing, while giving the Centers for Medicare & Medicaid Services (CMS) the flexibility to further delineate HPRD requirements or increase minimum standards in the future, regardless of the state of the nursing workforce. This bill was introduced by Senators Ron Wyden (D-OR), Andy Kim (D-NJ), Cory Booker (D-NJ), Elizabeth Warren (D-MA), Ben Ray Lujan (D-NM), Christopher Murphy (D-CT), and Richard Blumenthal (D-CT).

Fix the Nursing Home CNA Training Lockout

Certified Nursing Assistants (CNAs) are an integral part of the aging services workforce – and strong training programs are critical to providing the quality care older adults deserve. Unfortunately, CNA training programs in nursing homes are subject to suspension due to an outdated provision in federal law. For almost 40 years, nursing homes that have been assessed with civil money penalties above a certain threshold on their surveys have automatically lost the ability to train CNAs for two full years. These suspensions are required even if the fines are unrelated to the quality of care provided to residents, thus eliminating a critical workforce pipeline.

- Support the *Ensuring Seniors' Access to Quality Care Act* (HR 7096), which would change the two-year CNA training lockout by allowing nursing homes that have resolved their compliance issues to continue their CNA training programs as long as their penalties are not related to the quality of care provided to residents. This bill was introduced by Representatives Ron Estes (R-KS) and Josh Harder (D-CA).

Expand Workforce Options for Clinical Care in Nursing Homes

Workforce shortages in healthcare are not limited to nurse staffing; shortages exist among physicians as well and are anticipated by HRSA to worsen over the next few years. Non-physician practitioners such as physician assistants, nurse practitioners, and clinical nurse specialists, can help offset these shortages to deliver quality care in nursing homes while remaining within their scope of practice.

- Support the *Enhancing Skilled Nursing Facilities Act* (HR 7106), which would allow nurse practitioners, physician assistants, and clinical nurse specialists to provide certain care in nursing homes to streamline care, reduce delays, and improve access to services. This bill was introduced by Representatives Jen Kiggans (R-VA) and Debbie Dingell (D-MI).

Ensure Medicare Coverage of SNF Care

Medicare beneficiaries must have an “inpatient” hospital stay of at least three consecutive days to receive coverage for skilled nursing facility care after discharge. However, at times, hospitals fail to classify patients as “inpatient” and instead keep them in outpatient “observation status” for more than the standard “two midnights.” This results in these individuals being ineligible for having necessary skilled nursing facility care covered by Medicare.

- Support the *Improving Access to Medicare Coverage Act of 2025* (HR 3954), which would apply hospital outpatient observation days toward the three-day qualifying hospital stay requirement so Medicare patients who spend three days in a hospital, regardless of inpatient or observation status, can access post-acute care in a skilled nursing facility. This bill was introduced by Representatives Joe Courtney (D-CT), Glenn Thompson (R-PA), Suzan DelBene (D-WA), and Ron Estes (R-KS). In the last Congress, a companion bill was introduced by Senators Sherrod Brown (D-OH), Susan Collins (R-ME), and Sheldon Whitehouse (D-RI).