**Talking Points:**

**BIDEN PROPOSAL ON NURSING HOME REFORM**

***Updated: March 1, 2022***

**KEY MESSAGES:**

Throughout the past two years, our fight against COVID-19 has laid bare the deep needs of the aging services sector, beginning with chronic workforce shortages fueled by near-poverty level wages.

* We have 25,000 open caregiver positions in senior care in Minnesota.
* That represents approximately 20% of the caregiving workforce in our state’s senior care system.

However well-intentioned the President’s proposal for reform in long-term care may be, adding more regulations without providing funding for salary increases will result in fewer seniors receiving the care they need.

A critical first step in addressing our workforce shortages in senior care is to elevate the wages for professional caregivers.

* We need state and federal government to make a commitment to caregiving through permanent investments in Medicaid rates that will allow us to raise wages, recruit new workers, and retain dedicated professional caregivers to care for Minnesota's seniors.
* We invite policymakers to join us in finding solutions instead of making it even harder for seniors and their families to find the care they need in the communities they call home.

Government is not just our regulator; they also are the payor.

* 53% of those we serve use Medical Assistance to pay for their long-term care and the State of Minnesota also controls what facilities may charge residents who pay privately.
* Another 11% use Medicare to pay for their care.
* That means the federal and state governments are important partners in solving our caregiving crisis.
* Government plays an important role in solving our workforce crisis

More regulations won’t help us attract the skilled, compassionate workforce we need to care for the growing number of seniors.

* Mandated staffing requirements will do nothing to help us fill the 23,000 openings in our field.
* In fact, the proposed regulations may make it even harder for seniors to find the long-term care they need.

**ABOUT BIDEN’S REFORM PACKAGE:**

The White House has proposed a sweeping range of new nursing home quality and safety regulations to be implemented by the Centers for Medicare and Medicaid.

* CMS intends to propose minimum staffing standards that nursing homes must meet. CMS will issue a proposed rule within one year, based on a research study to determine the level and type of staffing it believes is needed.
* **Oversight** is called out, including that CMS intends to overhaul the Special Focus Facility program to include more facilities and move facilities through the program more quickly.
* The White House also intends to **increase transparency**, by publicly reporting more robust corporate ownership data and examining the role of private equity.
* The package also includes **revised regulatory standards** for infection prevention and emergency preparedness.

Beyond the one-year target for a proposed rule on staffing levels, the White House has not identified a timetable for implementation of these initiatives.

**OUR COMMITMENT TO SAFE, QUALITY CARE:**

Minnesota’s aging services providers are committed to providing safe, quality care for all the seniors we serve.

* Approximately 80% of Minnesota’s nursing facilities have an above average staffing rating (four or five stars). Even without punitive regulations, Minnesota’s providers are committed to ensuring our staffing levels are appropriate for the level of care we provide.
* Approximately 62% of Minnesota’s nursing homes are considered top performers (4 or 5 stars) on quality measures in CMS’s 5 Star Quality Rating system.
* Over the last decade, our field has committed to providing safer care than ever before. Before the pandemic, key quality metrics were improving dramatically: fewer people were returning to the hospital, staff were providing more one-on-one care than ever before, and the unnecessary use of antipsychotic medications significantly declined.

With a goal of eliminating preventable harm in the course of caregiving, the LeadingAge Minnesota Safe Care initiative aims to prevent resident harm and improve safety and quality.

* More than 27,000 caregivers, volunteers and residents have taken the Safe Care Pledge to keep those we serve safe from harm and provide care with respect and dignity – always.
* Over 450 long-term care providers across Minnesota have committed to implement a 5-Step Action Plan to create the systems and culture needed to improve quality and safety and move toward our goal of zero preventable harm.

Through the Safe Care program, we are making significant strides in implementing these five key Safe Care actions that have been shown to be effective in improving safety and reducing harm:

* Engaging in safety at the leadership level;
* Designating safety champions;
* Participating in collaborative learning and improvement to take strong action to address specific safety issues;
* Partnering with residents and families in quality and safety; and
* Establishing a culture that is fair and just and encourages speaking up, learning and improvement.

By participating in Safe Care, we are working with the sector to understand key themes and factors contributing to the events that are cited most often and bringing together experts and advisory groups to conduct a deep dive into the data to understand the problems to be solved and strong actions that can be taken to prevent harm. Safe Care work has outlined critical steps to:

* Prevent dietary harm;
* Strengthen “I’m Okay” and safety checks;
* Improve and maintain resident health and wellness;
* Create safe environments through leadership rounding; and
* Implement rapid evaluation teams.