

Assisted Living and the Minimum Staffing Mandate

Assisted living communities are at risk of losing staff. Many assisted living providers continue to deal with labor shortages, while others have nearly recovered back to pre-pandemic workforce levels. No matter an assisted living community's workforce situation, the federal minimum staffing mandate for nursing homes threatens to take away essential caregivers on which assisted living communities depend to serve hundreds of thousands of residents across the country.

Fast Facts About the Impact on Nursing Homes:

- Implementation of the unfunded, one-size-fits-all rule amid a historic and nationwide labor shortage threatens the displacement of nearly 300,000 nursing home residents.
- Nursing homes would need to hire 102,000 additional nurses and nurse aides that don't exist.
- The unfunded mandate is estimated to cost \$6.5 billion per year to hire the necessary additional caregivers.

Concerns from assisted living providers in different geographic areas:

- The Nurse Licensure Compact will impact assisted living communities located close to state lines, increasing the likelihood that nurses may be recruited and pulled away to assist in nursing homes across state lines.
- Staffing agencies are recruiting staff away from assisted living communities and then turning around and charging assisted living providers an exorbitant amount of money to bring staff into the nursing home.
- There are pockets of the country where assisted livings are struggling with finding staff.
- An assisted living community may be the only community in the geographic region.
- An assisted living community may be located in a rural area where the main competitor is the nursing home down the street.
- An assisted living community is located in an urban area where they are constantly competing for the same pool of nurses and direct care staff.

The staffing mandate doesn't create more caregivers; it just creates a situation where long term care facilities and other health care providers are all competing for a limited pool of caregivers.

You can help our workforce by supporting these bills:

- ***Train More Nurses Act (S. 2853/H.R. 6122)***: Directs the HHS Secretary and the Secretary of Labor to conduct a review of all nursing grant programs to find ways to increase faculty at nursing schools, particularly in underserved areas. It also increases pathways for Licensed Practical Nurses to become Registered Nurses.
- ***Care for Our Seniors Act***: AHCA/NCAL has laid out several common-sense solutions in its Care for Our Seniors Act that help long term care facilities build a strong pipeline of caregivers. More information is available on www.ahcancal.org under Advocacy.
- ***Safeguarding Elderly Needs for Innovation and Occupational Resources (SENIOR) Act (H.R. 7605)***: Endorsed by NCAL, this bill aims to bolster the senior living workspace by investing in workforce development programs focused on meeting the needs of older adults. It would also establish a "cost reduction program" for low-income seniors, who qualify, to pay for room and board in assisted living.
- ***Healthcare Workforce Resilience Act (S. 3211/H.R. 6205)***: Endorsed by AHCA/NCAL, this immigration bill will help nursing homes build a strong pipeline of caregivers by creating more opportunities for international nurses to join our workforce and set them on a path toward a long and rewarding career.
- ***Ensuring Seniors' Access to Quality Care Act (CNA Lockout Bill - S. 1749/H.R. 8244)***: This bipartisan, common-sense solution helps ensure that SNFs can continue to meet the high standards required of them without compromising the availability of certified nursing assistants needed for quality care. This bill also gives Medicare and Medicaid providers access to the National Practitioner Data Bank to conduct background checks and help identify the best candidates.
- ***Building America's Health Care Workforce Act (H.R. 468)***: This bill helps to strengthen the long-term care workforce by providing much needed flexibilities for nurse aides in training and gives them the ability to transition to long term roles (to accommodate training and testing capacities to meet demand).

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