

ACTION NEEDED: Contact CMS to Share How the Skilled Nursing Staffing Mandate Will Impact Assisted Living

Why should assisted living providers comment on a nursing home proposed rule?

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, a 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. 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.

How to submit a comment to CMS:

1. Visit the [AHCA/NCAL website](#) to Take Action Now!
2. Follow the instructions on the webpage to submit your comment.

What should I include?

Your comments should be original and fact-based on how the proposed nursing home minimum staffing rule will impact your organization, and most importantly, your residents.

Explain Who You Are

1. What you do and how long you have been in this line of work.
2. Why you work in long term care.
3. Describe your building: location, number of units, profile of your residents.

Tell Them About Your Commitment to Quality

1. Mention any Quality Award or other award you have received.
2. Explain what your residents mean to you and your team.

Our Asks

1. Tell them not to do it.
2. Tell them if they are going to do it, not to do this until the workforce returns.
 - Explain how hard it is to get workers and your challenges to get them.
 - Give any story or example of not being able to get staff.

DEADLINE FOR COMMENTS IS NOVEMBER 6, 2023.

Sample Issues for Assisted Living Member Comments

The following points may help you draft a unique comment to CMS about the impact of the proposed nursing home mandatory staffing rule. Choose points from your perspectives and experiences that highlight how this proposed rule will impact your organization. **Anyone can make comments – staff, family members, volunteers.**

Sample Issues

- The Nurse Licensure Compact may impact 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 our community and then turning around and charging assisted living providers an exorbitant amount of money to bring staff into the nursing home.
- We are struggling with finding staff.
- My assisted living community is the only community in the geographic region.
- My assisted living community is located in a rural area. Our main competitor is the nursing home down the street.
- My assisted living community is located in an urban area. We are constantly competing for the same pool of nurses and direct care staff.



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