

# CMS Proposal: Unfunded Minimum Staffing Requirement for Skilled Nursing Facilities (SNFs) Could Cause Beneficiaries to Lose Access to Vital Care

Unfortunately, there have been an unprecedented level of long term care (LTC) centers shuttered across the country, with underserved areas bearing the brunt of these closures. In fact, more than 300 nursing homes have closed over the course of the pandemic (2020-2022), mostly due to staffing shortages or financial challenges. Based on current financial metrics, it is estimated that more than 400 nursing homes could soon close. In addition, nearly 45,000 nursing home residents have been displaced due to closures.

Nursing homes that close tend to be smaller facilities in urban settings where most residents rely on Medicaid. During the pandemic, nearly half of nursing homes that closed received 4 or 5-Star ratings from the Centers for Medicare and Medicaid Services (CMS), more than one-quarter were in rural communities, and an increasing proportion were not-for-profit. Simply put, nursing home closures are devastating to residents, their families, staff, and the entire health care system. The chronic underfunding of nursing homes combined with the ongoing toll of the pandemic and a historic labor shortage has been too much to bear for many facilities across the country.

While we greatly appreciate the assistance some LTC centers have received via the Provider Relief Fund throughout this pandemic and the needed extensions of the public health emergency, we remain concerned that unless more is done, additional centers across the country will close and vulnerable individuals will lose access to quality care. It is of vital importance that we work to address disparities in the health of our communities, who have no doubt been disproportionately affected by the COVID-19 pandemic. Losing access to critical LTC will only hurt these individuals, who already have health care access challenges.

It is also vital to note that due to the pandemic LTC facilities are facing a historic labor crisis, losing more than 406,000 caregivers since the beginning of the pandemic, and workforce levels are at a 15-year low. Skilled Nursing Facility (SNF) communities are facing the worst job losses among all health care professions, and the shortage is impacting access to care for our nation's seniors and individuals with disabilities. More than half of nursing homes were limiting new admissions in recent months—at a time when overwhelmed hospitals needed assistance to free up precious beds due to the Omicron surge.

**While we understand the intent of the CMS proposal of establishing mandatory minimum staffing levels at SNFs – we are concerned that facilities will not be able to meet the mandate without an increased supply of caregivers and sustained funding. We are asking members of Congress to write or call CMS to share these concerns.** As noted above, the SNFs in communities across the country are already in a precarious state and having an unfunded staffing mandate without adequate workforce available to meet such mandate could cause further closures and those most in need to lose access to needed LTC.

The viability of SNFs is essential. These LTC centers provide around-the-clock care to those most in need as well as rewarding jobs and careers for local community members. They are an economic hub that allow seniors who have lived in their communities for their entire life to remain close to their support structure when LTC is needed. Study after study has shown that these social connections and visitations from their loved ones and long-term friends in all communities are very important for their health and well-being. **Please contact CMS today.**

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