

Dear Administrator Brooks-LaSure:

The Ohio Health Care Association (OHCA) represents over one hundred Home Care and Hospice Agencies in Ohio. We are writing to express our concerns and provide feedback regarding the proposed minimum staffing rule for skilled nursing facilities. While we acknowledge the importance of maintaining high quality care and patient safety, we believe that the proposed rule could have unintended disastrous consequences for home and community-based providers such as hospice and home care agencies. Below are our concerns:

- **Increased Competition for Staff:** If skilled nursing facilities are required to maintain higher staffing levels, they may compete with home care and hospice agencies for the same pool of healthcare workers, including registered nurses, certified nursing assistants, and other support staff. This competition for personnel can lead to increased labor costs for all providers.
- **Staff Burnout:** Since the additional staff to fill the requirement are not available in our state, healthcare workers may experience increased workloads and stress as they try to meet higher staffing requirements. This could potentially lead to staff burnout, reduced job satisfaction, and a continuation of nursing professionals leaving the healthcare industry. This would ultimately affect nurse availability in Ohio for home care and hospice agencies.
- **Reduced Availability of Home Care and Hospice Services:** If healthcare professionals are drawn to skilled nursing facilities to meet their staffing requirements, this could reduce the availability of home care and hospice services for individuals who prefer to receive care in their own homes. This may result in longer waiting lists and delayed access to necessary services.

The average wage for home health workers in Ohio is \$17.20, according to the most recent data from the Bureau of Labor Statistics. This is up from \$15.03 during pre-pandemic staffing. When we consider that the average for nursing facilities is \$18.68, the aides and nurses that would need to accomplish the mandated staffing levels would likely come from the home care and hospice settings. Projections from OhioMeansJobs indicate that we will need over 1,200 nurses a year. From pre-pandemic levels in 2019, we have only gained 1,000 as of 2023. This means we are not meeting the current demand for nurses in our state, let alone an increase mandated by CMS. Additionally, we have lost over 5,000 nursing assistants at the same time, across all industries. We do not disagree that a larger workforce of healthcare providers is needed to address the growing demands of the aging population in Ohio. However, we humbly request that the

federal government look to providing aid and assistance in developing and attracting those workers before taking workers from other care settings.

Policymakers and stakeholders must carefully consider the potential unintended consequences on home care and hospice agencies and take steps to mitigate them. Collaboration and communication between various healthcare sectors and policymakers are crucial to finding a balanced solution that ensures the best possible care for patients while also addressing the concerns of home care and hospice agencies.

Sincerely,

Heidi McCoy RDN, LD, CEHCH  
Ohio Health Care Association