



January 25, 2022

Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
7500 Security Boulevard  
Baltimore, MD 21244-1850

Dear Administrator Brooks-LaSure:

I am writing to you because I am very concerned with some challenges nursing homes are facing today, two years into the pandemic. Some changes in the regulatory and guidance material coming from CMS would make a big difference in the ability of providers to continue to serve older people and their families.

LeadingAge and CMS agree on many points: that our nation's nursing home residents deserve the highest quality care, that a robust workforce is essential for providing that care, and that many nursing homes and other healthcare settings including hospitals are experiencing severe workforce shortages. However, LeadingAge's more than 2,000 mission-driven nursing home providers report sheer exhaustion and demoralization resulting from limited resources and challenges operating under intense pressure and continuous adaption to the pandemic.

Our members and their staff have shown amazing fortitude, courage, and compassion by putting their own lives on the line and the needs of themselves and their families on the backburner during this public health emergency. We appreciate that you acknowledge their sacrifice on national stakeholder calls and in meetings with them. We ask that you consider their daily struggle, focused on providing quality care while also striving to meet unrealistic regulatory expectations established during this public health emergency. Unfortunately, the strongest staff take on additional duties each day when their coworkers leave the workforce to preserve themselves and their families. And, as you know, since February 2020 the aging services workforce has lost 420,000 employees, many of them front-line nursing assistants.

CMS has rightly identified the staff recruitment and retention problem. We implore you to work with us toward a new solution. Under your capable leadership, CMS can lead the way to a regulatory and enforcement system that both supports providers through the remainder of the pandemic and helps them as they begin to recover from it, while also offering vision and a path for reform to achieve the nursing home of the future. Below, I outline how CMS might have a direct and immediate impact as we embark on the future together.

For more than 3 years, CMS has gathered stakeholder input on quality measures related to staffing and turnover. Recognizing the need for transparency around this important issue, LeadingAge provided input on these measures while simultaneously advocating for CMS to partner with stakeholders on innovative ways to address this problem. As the public health emergency fanned the flames of this issue into an all-

out wildfire, the workforce crisis became the nexus from which all nursing home advocacy flowed and through which all issues were connected.

We urge CMS to reevaluate the timing of the public posting of staffing data and quality measures. Nursing homes are not the only sector experiencing a labor crisis. The general public has daily experience of this problem, from long waits at the fast-food drive-thru window to disrupted bus and train schedules, from cancelled classes and virtual learning in our schools to crisis standards of care in our hospitals. Workforce needs are at crisis levels in many sectors of our economy. Yet nursing homes, for a variety of reasons, often face extreme scrutiny over staffing.

Our workforce challenges are no secret and posting fresh data on staffing needs in nursing homes will not solve the problem. We assure you that our mission-driven providers would be happy to hire qualified staff so that the Director of Nursing could stop doing med pass and the Administrator could stop taking on additional shifts to relieve her CNA staff. The workers are simply not there. Do not single out nursing homes by highlighting a problem that impacts every sector. **Delay implementation of the staffing data and quality measures until our nation is out of this public health emergency.**

Like nursing home providers, I realize that CMS is not able to solve the workforce shortage. I invite you to partner with us to identify any and all solutions and pursue them vigorously. As a start, we appreciate your swift implementation of the measures outlined above. I request a meeting with you to discuss these and other strategies in greater detail. Please contact Senior Vice President of Policy and Advocacy Ruth Katz [rkatz@leadingage.org](mailto:rkatz@leadingage.org) so that we can coordinate a time for this important conversation.

Sincerely,

A handwritten signature in black ink that reads "Katie Smith Sloan". The signature is written in a cursive, flowing style.

Katie Smith Sloan  
President and CEO

