

I applaud the Biden Administration for its new efforts to create minimal federal standards of care in these residences, most notably having one RN on staff 24 hours a day, 7 days a week with each resident getting 3.5 hours of nurse-provided care per week.

The proposed regulations also include pay increases for home care workers and a crackdown on misuse by facility managers of the Medicare and Medicaid funds that pay for a large share of nursing home care.

It's important to remember that assisted living facilities—whose residents generally require less hands-on medical attention than nursing home patients—are state regulated and have staffing standards that vary from state to state. That means the new federal regulations won't apply, and families should carefully investigate the local rules covering care of their loved ones. To find the requirements in your state, review the 2022 State Assisted Living Regulatory Summaries, which are maintained by the American Health Care Association and the National Center for Assisted Living.

When the Centers for Medicare and Medicaid Services recently announced these changes, they were immediately condemned by Republicans in the U.S. House of Representatives and nursing home industry lobbyists, who said staffing shortages, rising costs, and pandemic-related closures would make it too difficult to comply. However, Rep. Anna Eshoo (D-CA) declared, "I don't know about you but if I was in a nursing home, I would want these standards."

Nursing homes and hospice care are highly profitable for corporations and private equity firms. Genesis Health Care, the largest nursing home company, has annual revenue of \$5.8 billion and over 68,000 employees. As of 2021, the U.S. nursing home industry brought in \$149 billion annually and employed over 1.6 million people. Surely, such a huge profit machine can afford to adopt these minimal requirements for patient care and safety.

Providing quality, affordable long-term care should be a major women's and racial equity issue. Consider, for example, that the world of long-term care overwhelmingly comprises women, both as consumers and providers. Women make up 75% of nursing home residents and 90% of professional caregivers. They provide most of the care for elderly relatives. Meanwhile, 80% of home care assistants are women, with two-thirds of that group being women of color and just under half being recent immigrants. All of these people perform hard and frequently unpleasant work. They deserve our respect and the ability to earn a living wage.

Staffing challenges also may indicate that many people, including some healthcare professionals, feel uncomfortable addressing the final years of life. Caring for the frail and elderly isn't among the top 10 career field choices for nursing or medical school graduates.

Perhaps we need to rethink our policy priorities and ramp up our support for providing a dignified ending for our vulnerable populations, with a substantial share of their care provided by properly prepared nurses. If we don't meet this minimum standard in nursing homes, we should rename them "custodial care centers, not "nursing homes."
