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NYS Health Facilities Association Statement on Nursing Home Minimum Staffing Legislation

Albany, New York — Stephen Hanse, President and CEO of the New York State Health Facilities Association (“NYSHFA”), a statewide organization representing over 325 not-for profit, for profit and government sponsored skilled nursing facilities issued the following statement today in response to nursing home staffing mandate bills being advanced in the Legislature.

“This legislation ignores the reality of the long-term workforce crisis New York is facing. Prior to the COVID-19 pandemic, nursing homes throughout New York were struggling to recruit and retain workers and the pandemic has only exacerbated the State’s workforce crisis.”

“Many nursing homes would welcome the opportunity to increase staff, however, the workers are not there and the State refuses to fund any efforts to recruit and retain workers into fulfilling careers in long-term care.”

“Legislators should be aware of New York’s long-term care workforce crisis as they mandated a study in the 2020-2021 State budget. This study, which was conducted by Cornell University, found New York does not have enough workers to meet the staffing mandates and the costs of such mandates are exorbitant.”

“On top of New York’s nursing home workforce shortages, the State continues to underfund nursing home care and even cut almost \$100 million in Medicaid funding to nursing homes in the middle of the COVID-19 pandemic. The average cost of providing 24-hour nursing home care in New York is \$266 per resident per day, but the State only pays an average of \$211 per resident per day – or \$8.79 per hour! This \$55 Medicaid shortfall is the largest in the Nation and directly impacts a nursing home’s ability to retain workers when hospitals can always pay nurses more.”

“If legislators and policymakers are truly sincere about addressing the long-term workforce, they will implement measures to meaningfully recruit and retain workers into long-term care and increase Medicaid reimbursement to nursing homes before imposing staffing mandates. Failing to address these two issues will result in the failure of any staffing legislation.”

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