



H.R. 8244, The Ensuring Seniors' Access to Quality Care Act *Rep. Ron Estes (R-KS), Rep. Gerry Connolly (D-VA)*

Nursing home workforce is in crisis and getting worse.

- **99 percent** of nursing homes currently have job openings.
- **46 percent** of nursing homes have had to limit new patient admissions due to lack of staff.
- Nearly **20 percent** of nursing homes have closed part of their facility due to lack of staff.
- The Biden Administration's recently finalized **nursing home staffing mandate** will worsen workforce shortages across the country.
 - Requires nursing homes nationwide who are already struggling to find staff to hire more than **100,000** additional nurses and nurse aides.
 - Exacerbating existing nationwide labor shortages in nursing homes and could also lead to follow-on shortages as nurses are hired away from hospitals, home health agencies, hospices, and other settings of care.
 - One estimate suggests nearly **300,000** residents will lose access to care – more than **one-fourth of all residents** – as nursing homes slow admissions to comply with the mandate.

Medicare unnecessarily restricts Certified Nurse Aide training.

- Under current law, Medicare prevents nursing homes from operating a Certified Nurse Aide (CNA) training program for two years if the facility is fined a certain amount.
 - In making the decision to prohibit the training program, Medicare does not account for the seriousness of the underlying deficiency or activity the fine was related to.
 - For example, a nursing home could be fined for a deficiency unrelated to direct resident care, like having expired crackers in a food pantry, yet would still be prohibited from operating a CNA training program for two years.
- While current law contains a waiver, it is seldom used and has proven inadequate.

Solution: Ensuring Seniors' Access to Quality Care Act (H.R. 8244).

- Allows nursing homes to continue operating their CNA training program if they incur fines above a certain amount, so long as the fines are issued for reasons unrelated to direct resident care.