H.R. 8244, The Ensuring Seniors’ Access to Quality Care Act

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.