



March 13, 2020

Governor Tom Wolf
508 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Wolf:

The Pennsylvania Health Care Association and LeadingAge PA, which collectively represent nursing homes, personal care homes and assisted living residences, retirement communities, senior affordable housing, and home and community-based services throughout the Commonwealth, have been closely monitoring the emerging public health impact of COVID-19.

Over the last few days, we have been in communication with our counterparts in other states, including Washington, as well as our respective national affiliates. Based on their strong recommendations and the evolving nature of this situation, we are actively advocating for public-private partnership and regulatory cooperation, especially considering the unique challenges of this virus.

One of the most consistent messages we've heard from other state associations working to combat the virus is the importance of working with the state Department of Health. Secretary Levine and the Department have done an admirable job of staying ahead of this issue for the public. Building a solid partnership for cooperation between facility staff, surveyors and regulators will yield stronger preparation and positive results.

Given what has happened in Life Care Center, a nursing home in Kirkland, Washington, in which residents have died, staff have been exposed to COVID-19 and families are actively seeking answers, our member providers have been working to prepare for the worst. Resident and staff safety are top priorities for our members. If past viruses and flu seasons are any indication, the COVID-19 outbreak **will** get worse before it gets better. We must work together to mitigate the spread of this virus now and protect those most at risk.

It's critical to recognize that the acute workforce challenges faced by providers will be compounded with the spread of the virus. As schools and day cares close, fear drives staff to call off, and the potential emerges for specifically dedicated staff in the event of a quarantined resident, the need for flexibility in staffing will be paramount to providing the best possible care for residents.

Accordingly, we request that you **sign an executive order providing for the following for the duration of your emergency declaration:**

- Waive or grant temporary relief from the staffing requirements from Department of Health for Long Term Care Facilities and Department of Human Services for Personal Care Home/Assisted Living Residences if facilities are not able to meet minimums but are still providing adequate quality of care to residents.
- Allow for flexibility in the individuals that perform certain activities with proper abbreviated training. For instance, allow ancillary and administrative staff to cue residents to eat to ensure they receive proper nutrition, thus freeing up nurse aides to feed residents who might have need for more significant assistance.
- Allow for flexibility in Department of Human Services day care regulation requirements so that long term care providers with space can allow workers to bring their children to these settings as suggested yesterday on the call that was held by the Department of Health and HAP regarding nursing homes.
- Immediately grant temporary Pennsylvania licensure to physicians, nurses and nursing assistants licensed in other states who can help providers here and now.

Additionally, we would request that you work with your federal partners at the Centers for Medicare and Medicaid Services to allow graduate and licensed nurses to work in the role of nurse aides if necessary, during this critical time.

We hope to work with your administration, the Department of Health, the Department of Human Services, and members of the legislature to ensure long-term care providers are prepared to combat COVID-19 in their facilities.

Again, we want to thank you and you team for your leadership on the emerging public health impact of this virus.

Sincerely,



Zach Shamberg
President and CEO
Pennsylvania Health Care Association



Adam Marles
President and CEO
LeadingAge PA