



Board of County Commissioners

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February 27, 2024

The Honorable John Hickenlooper
United States Senate
374 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Michael Bennet
United States Senate
261 Russell Senate Office Building
Washington, D.C. 20510

Senators Hickenlooper and Bennet,

I am writing to you today as Eagle County Commissioner of District 3 and a concerned citizen over proposed federal rulemaking by the Biden Administration that will negatively impact Colorado seniors. The federal staffing mandate for nursing homes will exacerbate current workforce shortages facing our state's long term care sector and limit access to care for our seniors.

This unfunded mandate will not help nursing homes increase their staffing levels. Nursing homes are facing a historic staffing shortage like many other health care sectors, but they are feeling the impact more severely. Nursing homes have lost 15 percent of their entire workforce since the start of the COVID-19 pandemic and aren't expected to rebuild until 2026.

Nursing homes in Colorado cannot meet this staffing requirement as it stands. Nursing homes are already doing everything they can to get more workers through the door, including offering more competitive wages and better benefits, but there aren't enough people in the labor force to meet the demand. Now they will need to hire thousands more nurses and nurse aides nursing homes need to meet this mandate. One analysis finds that 90 percent of nursing homes in our state cannot meet the proposed rule in its current form.

This one-size-fits-all mandate will force facilities to limit their admissions or close down altogether. When nursing homes do not have the necessary staff, they will have to turn away prospective residents or in the worst cases, fully shut down. A nursing home cannot operate unless they have the caregivers necessary to provide each resident with the care they need. This will be especially devastating to rural and underserved communities where access to care is already limited.

Let's not put seniors in harm's way by letting this policy become final. Nursing homes need substantial funding and supportive programs to help them recruit and retain a strong workforce, and the time to do this is now. This is how we really improve nursing home care and better prepare ourselves for the future.



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Many of your colleagues have already expressed concerns over the staffing mandate for nursing homes and have urged the Biden Administration to rescind this flawed policy. I hope you will join them. An impossible-to-meet mandate will only limit access to care for our seniors, and I encourage you to support policies and programs that help nursing homes build a strong pipeline of caregivers for years to come.

Sincerely,

Jeanne McQueeney

Commissioner