



Charles N. Kahn III
President and CEO

**STATEMENT
of the
Federation of American Hospitals
to the
U.S. House of Representatives
Committee on Ways and Means**

**Re: “Markup of H.R. 7513, H.R. 5074, H.R. 7512, and Views and Estimates Letter to the
Committee on the Budget”**

March 6, 2024

The Federation of American Hospitals (FAH) submits the following Statement for the Record in response to the House Committee on Ways and Means markup of H.R. 7513, the “*Protecting America’s Seniors’ Access to Care Act.*” We appreciate the Committee’s leadership in protecting patient access to critical care by advancing legislation that prevents one-size-fits-all staffing requirements.

FAH is the national representative of more than 1,000 leading tax-paying hospitals and health systems throughout the United States. FAH members provide patients and communities with access to high-quality, affordable care in both urban and rural areas across 46 states, plus Washington, DC, and Puerto Rico. Our members include teaching, acute, inpatient rehabilitation, behavioral health, and long-term care hospitals and provide a wide range of inpatient, ambulatory, post-acute, emergency, children’s, and cancer services.

The *Protecting Rural Seniors’ Access to Care Act* (H.R. 7513) is an important step forward in ensuring America’s seniors have access to long-term care services. The bill would prohibit the U.S. Department of Health and Human Services (HHS) Secretary from finalizing the proposed nursing home staffing rule, entitled “Medicare and Medicaid Programs; Minimum Staffing Standards for Long-Term Care Facilities and Medicaid Transitional Payment Transparency Reporting” published in the Federal Register (88 FR 61352) on September 6, 2023.

While FAH strongly supports and believes in furthering approaches to ensure that residents of long-term care facilities receive safe, reliable, and quality care, we adamantly oppose mandating specific daily minimum hours per resident for registered nurses and nurse aides and requiring a registered nurse be on site and available to provide direct resident care 24 hours a day, seven days per week. Patient and workforce safety is a top priority. However, imposing nursing staff ratios and mandating the quantity of staffing is a flawed approach that will

potentially impede rather than promote facilities' abilities to deliver quality care and retain a quality workforce.

Mandating nurse staffing standards is an approach that is informed by outdated evidence. Such thresholds do not reflect emerging care models that demonstrate the dynamic integration of technology and collaborative, highly trained teams. Continuing to focus on quantity will prevent facilities from advancing emerging care practices that utilize alternative approaches that are both effective and safe for patients and the workforce. Instead of imposing staffing minimum requirements, we urge policymakers to focus on holistically promoting innovation, including in nursing workflow, staffing, training, and administrative responsibilities.

We thank the Committee for advancing H.R. 7513, the *Protecting Rural Seniors' Access to Care Act*, and urge Congress to enact the legislation. If you have any questions or would like to discuss our support of the legislation further, please do not hesitate to contact me or a member of my staff at (202) 624-1534.

Sincerely,

A handwritten signature in black ink, written in a cursive style. The signature is somewhat stylized and difficult to read, but appears to be a name with a last name ending in 'y'.