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Contact: Heather Groll

Phone: 518-689-7207

Email: hgroll@corningplace.com

## **Unnecessary State Mandates Will Raise Assisted Living Costs Thousands may be forced into nursing homes due to lack of access to affordable care**

Albany, NY – Recently proposed regulatory changes by the New York State Department of Health for those who operate assisted living residences include the addition of on-site nursing staff at some residences and compliance with new building standards. These expensive proposals threaten to raise costs to such an extent that residents will be unable to afford it.

One provision in the regulations would require some residences to hire and pay for a Registered Nurse to be on the premises for a set number of hours whether or not the residents needed their services. Currently, assisted living residents access and pay for only those nursing services that they require as individuals.

“Residents choose assisted living because they need help with some of the activities of daily living such as bathing and dressing, not the 24-hour medical care provided in nursing homes,” said Lisa Newcomb, executive director of the Empire State Association for Assisted Living (ESAAL). “Establishing staffing ratios and requiring a Registered Nurse to be on site for an artificially high number of hours each day, even when residents do not need that level of care, will place an unnecessary financial burden on those residences that are providing affordable care for the elderly. Ultimately, those costs will have to be passed on to the elderly and their families, many of whom have fixed income.”

“Nurses play an important role in the assisted living model and we support nurse staffing levels that are tailored to the needs of the people that live there,” Newcomb continued. The appropriate level of staffing should be determined by the resident’s physician, which will result in residents only paying for services that they actually need. This helps to keep assisted living affordable for more seniors. We need to strike a balance between services that are actually needed and those that are a luxury.”

“Also, the nursing shortage is well-documented in every community across this state. Placing additional mandates for nurses in places where they are not necessary will only exacerbate the nursing shortage and reduce the number of skilled nurses available for employment where they are needed.”

The proposed environmental and building standards aim to require some residences to adhere to a more stringent set of structural and environmental guidelines only because they use the term “assisted living”.

“The structural requirements proposed in these regulations could cost hundreds of thousands of dollars, without any outside support to help pay for them. “Many of the residences that would be required to meet these new standards are located in small and rural communities. It is highly likely that they could not afford to meet the standards and be forced to close and move their residents to a location far from their homes. If these standards are ultimately adopted, funding should be made available for compliance”

“Because most assisted living providers do not receive financial help from government to care for their residents, they would have no choice but to pass mandated nursing and building costs on to residents, likely resulting in increases of hundreds of dollars per month for each of them.”

“Our members urge the State to reconsider minimum nursing and other requirements in assisted living residences so that those who are able to age-in-place can remain there, in their home, in a residential and socially focused setting.”