



April 13, 2020

His Excellency, Charles Baker
Governor of the Commonwealth of Massachusetts
Massachusetts State House
Office of the Governor, Room 280
Boston, MA 02133

The Honorable Karen Spilka
Massachusetts Senate, President
24 Beacon Street, Room 356
Boston, MA 02133

The Honorable Robert DeLeo
Massachusetts House of Representatives, Speaker
24 Beacon Street, Room 332
Boston, MA 02133

Dear Governor Baker, Senate President Spilka and Speaker DeLeo:

I am writing with great urgency on behalf the Commonwealth's nursing facilities to implore you to assist us in this unprecedented COVID-19 public health crisis which is today overwhelming our nursing home community, notwithstanding the best efforts of the Command Center staff and nursing facility providers. To date, hundreds of nursing facility residents have died and we are now hearing reports of caregiver deaths. Given the vulnerability of the nursing facility population, this devastation will continue to increase at alarming rates without immediate and urgent action on the part of state government. Specifically, we need any and all additional resources to immediately staff our nursing facilities, test all residents and staff working the frontlines, and access to enough lifesaving personal protective equipment.

One forecast model based on published rates of infectious spread, hospitalizations, ICU use and death among the elderly applied to the Massachusetts nursing home population is sobering under any scenario, whether best, most likely or worst case. The projections depend on two factors: the number of skilled nursing facilities in Massachusetts caring for COVID-19 residents and a facility's ability to control the spread of this highly contagious virus within the facility. If there are any further delays in widespread, comprehensive testing and sufficient access to PPE, it would place the Commonwealth at risk of experiencing a worst-case scenario: all of our nursing facilities contracting the virus and over half of the 38,000 nursing home residents **and** 20% of our staff becoming infected with COVID-19, plus close to a 10% death rate among our residents.

The 'most likely' scenario offers no solace: all skilled nursing homes have the virus in their facility, over one-third of the nursing facility population becomes infected with COVID-19, and 3% of nursing home residents die from COVID-19.

This dire forecast must compel us to act immediately in order to decrease the likelihood of this unacceptable outcome and better protect our residents and staff from this deadly disease. We therefore ask for your continued leadership and plead for immediate action on the following 3 vital steps:

- 1. Immediately expand and routinely test both symptomatic and asymptomatic nursing home residents and frontline staff.**

Widespread testing is indisputably essential to containing the virus and protecting our residents and staff. Nursing facilities are working to secure testing for our frontline staff and residents but the process established by the state, while well intentioned, has been inadequate to the scope of the problem. While we appreciate the Command Center's recent and ongoing expansion of mobile testing, the reality is that facilities are still facing significant barriers, including extended wait times for the testing, delayed testing results, as well as inconsistent testing guidance. We believe that together with the National Guard, Transformative and others that widespread surveillance testing is achievable with testing support from the Command Center and the Broad Institute. It has to happen now to avoid a much larger crisis.

- 2. Immediately prioritize personal protective equipment (PPE) for the safety and health of residents and frontline staff by ensuring an adequate supply of N95 and surgical masks, gowns, eye shields and gloves, which are desperately needed to safely treat residents.**

Nursing facilities are also continuing to pursue all viable options in order to secure additional masks, gowns, eye shields and gloves including appealing to the state's Command Center and making purchases via international suppliers, but the stark reality is that most facilities lack essential supplies and could run out of PPE shortly. With additional testing, there will be more COVID-19 positive residents and staff. In short, we are simply burning through PPE at alarming rates and need the Command Center's support in allocating these life-saving resources to our caregivers.

- 3. Immediately expand state resources to fund a "hero" wage of double time and deploy the National Guard or Medical Corp to help staff the state's nursing facilities**

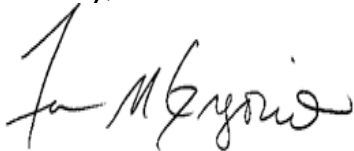
40% of staffing positions are currently vacant due to the COVID-19 crisis, which means we need to secure about 17,000 direct care nursing staff to reach a basic staffing level. In short, our already under-resourced facilities are now experiencing a further staffing crisis as a result of the COVID-19 outbreak. Many of our staff are sick with COVID-19, in quarantine due to exposure or they simply fear coming to work. We are working diligently to identify pools of workers and are

offering as robust financial incentives as we can to existing staff, but the stark reality is that we are unable to reach the most basic staffing levels. The only way we can begin to stabilize our staffing is for the state to provide us with the resources to offer a double time 'hero's pay' during this unprecedented crisis and ensure their safety through the consistent availability of PPE.

It is also imperative that the state make the necessary resources available immediately to nursing facilities to combat this outbreak and establish a funding reconciliation process to prevent an utter collapse of the system. While the nursing home provider community is grateful for the Administration's action to authorize the Adjustments to Essential Provider Rates of \$13 million per month, we respectfully note that this is now not nearly enough to allow facilities to cover the increased overtime and temporary contracted staffing increases and PPE costs. **We request that the Administration immediately authorize an increase in the monthly amount to \$130 million and establish an accountable reconciliation process that allows facilities to demonstrate and be reimbursed for Medicaid's full share of COVID-19 costs at the conclusion of the national emergency. Without this, many or most nursing homes will not have the finances to survive this crisis and pay their staff.**

Simply put, despite our many pleas, nursing facilities simply have not been given and do not have the resources to fight this pandemic without more support from the Commonwealth. COVID-19 is utterly depleting our nursing home community in every way. If we are to have any success, we immediately need the Commonwealth, hospital systems, and our local communities to join us on the frontline. The stakes are too high so I again thank you and implore you to please support the state's 38,000 nursing home residents and their dedicated caregivers. Unfortunately, despite taking extraordinary precautions to protect our residents and staff, we have an escalating crisis in terms of the number of residents infected combined with a desperate need for additional staffing. We ask that you make nursing homes a higher priority in the fight against the COVID-19 spread.

Sincerely,



Tara M. Gregorio
President