

United States Senate
WASHINGTON, DC 20510

June 22, 2022

The Honorable Chiquita Brooks-LaSure Administrator
Centers for Medicare & Medicaid Services
Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244

Dear Administrator Brooks-LaSure:

We write to express our concerns with the Centers for Medicare & Medicaid Services' (CMS) proposed rule to update Medicare payment policies and rates for skilled nursing facilities. The proposed FY23 Skilled Nursing Facility Prospective Payment System Rule would result in a \$320 million overall decrease in payments to long term care facilities. This cut could have a disastrous effect on rural facilities that continue to face severe workforce shortages as they deal with the aftermath of the COVID-19 pandemic. The proposed payment cut would exacerbate current challenges and potentially lead to the closure of rural facilities. Rural America simply cannot afford to lose any more of these facilities, which is why we urge CMS to assure some predictability and stability to the sector by changing course and phasing-in any parity adjustment cuts over a three year period.

Rural Long-term care facilities are facing a historic labor crisis, losing more than 400,000 caregivers since the beginning of the pandemic. This shortage has led to workforce levels dipping to a 15-year low despite a growing demand for services from our aging rural populations. In recent months, the workforce shortage caused more than half of nursing homes to limit new admissions at a time when rural America desperately needed more beds to handle the Omicron surge.

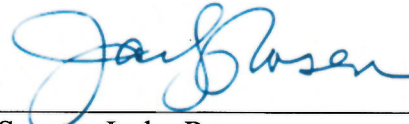
In the worst cases, rural facilities are being forced to permanently close their doors. When a small community loses a health care provider, there is no guarantee it will ever come back. This can mean friends and family must travel great distances at a significant cost to see their loved ones or it can mean that rural individuals do not get the quality care they need to live with dignity in the latter stages of their life. In an era where we know our rural counties are aging, it is startling to see that from 2019 through March 2022, 429 skilled nursing facilities closed. In addition, reports suggest that close to 1,000 assisted living facilities shut their doors in the last quarter of 2021 alone.

With these challenges in mind, we believe now is not the time to reduce CMS's payments to facilities that are vital to health care and quality of life in rural America. Rural providers cannot survive the proposed 4.6 percent parity adjustment cut without a reasonable phase-in period. We stand ready to partner with CMS to ensure the most vulnerable in our country are not put at further risk as our nation continues to grapple with the consequences of the pandemic. Thank you for your attention to this important issue.

Sincerely,



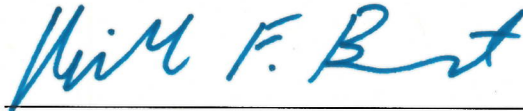
Senator Jon Tester



Senator Jacky Rosen



Senator Debbie Stabenow



Senator Michael F. Bennet



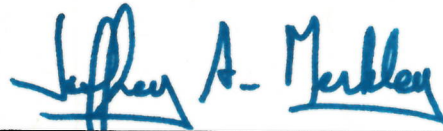
Senator Brian Schatz



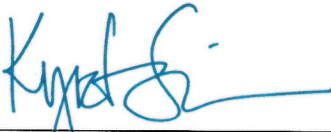
Senator Margaret Wood Hassan



Senator Robert P. Casey, Jr.



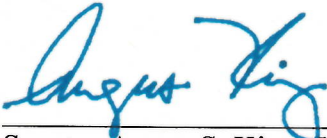
Senator Jeff A. Merkley



Senator Kyrsten Sinema




Senator Tina Smith



Senator Angus S. King, Jr.



Senator Gary Peters



Senator Amy Klobuchar



Senator Jeanne Shaheen



Senator Martin Heinrich



Senator Mark Kelly



Senator John Hickenlooper



Senator Tim Kaine



Senator Tammy Baldwin



Senator Catherine Cortez Masto



Senator Raphael Warnock



Senator Mark R. Warner

cc: The Honorable Xavier Becerra