

**Testimony of Ginger Lynch Landy**  
**Executive Director, Argentum NY**  
**Joint Legislative Budget Hearing- Health**  
**February 8, 2022**

Thank you, Chairs Krueger, Weinstein, Rivera, Gottfried and Members of the NYS Senate and Assembly, for the opportunity to submit testimony regarding the FY 2022-23 Executive Budget. My name is Ginger Lynch Landy and I am the Executive Director of Argentum NY, the New York Chapter of Argentum National, representing professionally managed senior living companies.

Argentum NY represents 60 professionally managed, private- pay assisted living residences serving approximately 6,400 seniors across the State. Our members are dedicated to promoting choice, independence, and dignity while providing high quality services for all their residents.

ACFs/ALRs provide a resident-centered, senior living option that allows individuals to age in place in the setting of their choice. The average resident is 85 years of age, requires assistance with at least three activities of daily living, and has multiple co-morbidities. Additionally, they provide a critical role in the long-term care continuum by providing a less costly, resident-centered, community-based alternative to nursing homes. Private -pay assisted living residents utilize their own resources, thereby preventing premature enrollment in Medicaid.

While ACF/ALR residents are those most vulnerable to COVID-19 and ACF/ALR providers face significant staff challenges on a daily basis, these providers have done and continue to do an extraordinary job in protecting their residents and staff from COVID-19 with very little support from the State or Federal government.

New York's senior living providers have incurred hundreds of millions of dollars in expenses to procure gowns, gloves, masks, and other infection control supplies, to provide well-deserved hero pay to staff, and to hire additional staff. For more than a full year, ACFs, ALRs, and ALPs were required to test staff weekly at their own expense. In just May and June of 2020, providers spent approximately \$18.5 million to comply with the testing mandate with no financial support from the State. Additionally, declining occupancy rates due to temporary discontinuation of admissions and limitations on visitation resulted in substantial revenue losses.

Occupancy rates are slowly beginning to rebound but, in some cases, have been curbed by providers' inability to admit new residents due to staffing shortages. Providers are struggling to absorb these losses and, since the beginning of the pandemic, ACFs have been forced to close. Furthermore, while Argentum NY supports healthcare worker vaccine mandates and know them to be critical to ensuring the safety of both residents and staff, in some cases, these mandates have exacerbated staffing shortages and the expenses associated with addressing them.

While the State has provided relief to many entities including small businesses, restaurants, and the arts and entertainment industry, **ACFs/ALRs have not received any funding from the State and only minimal support from the federal government.**

We urge your support of this critical long-term care sector and request your consideration of the following measures:

### **COVID Recovery Funding for ACFs/ALRs:**

The Executive Budget includes \$2 billion for pandemic recovery programs, subject to further negotiation with the Legislature. We respectfully request that the Legislature and the Governor recognize the critical role ACFs/ALRs play in the long-term care continuum and **allocate \$75 million for all ACFs and ALRs across the State** to help offset a fraction of the costs they have incurred and continue to incur as they respond to the pandemic. This is a proposal that we have discussed with both Houses of the Legislature and the Governor's Office and we have also provided recommendations on methodologies to distribute the funds.

### **Healthcare Workforce Investments:**

#### *Healthcare worker bonuses:*

Staffing challenges continue to be of critical concern to ACF and ALR providers. The Executive budget recognizes the need to invest in the healthcare workforce, however, it completely overlooks long-term care workers in non-Medicaid settings. All healthcare workers serving the very vulnerable residents in long-term care settings, including private pay, should be recognized and rewarded for their extraordinary dedication and commitment to caring for those most vulnerable to COVID-19.

#### *Nurses Across NY Proposal:*

The Executive Budget includes \$2.5 million to fund a new nurse loan re-payment program known as Nurses Across New York. This proposal would allow licensed nurses who agree to practice for at least three years treating underserved populations to be eligible for loan forgiveness. We urge the Legislature to expand the program to explicitly include nurses providing care in long term care settings and identify long-term care recipients as an underserved population.

Interstate Nurse Licensure Compact:

Argentum NY supports the proposal to join the Interstate Nurse Licensure Compact which will allow nurses to relocate and practice using their existing license to practice in New York. This will help alleviate some of the staffing challenges the senior living sector continues to face on an on-going basis. We know that during the height of the pandemic, the Executive orders allowing nurses licensed in other states to practice in New York was critical to addressing the staffing challenges our members faced.

**Conclusion:**

ACF and ALR providers are an under-recognized and integral component of the long-term care continuum. We have seen a growing demand for resident-centered senior living options that allow aging individuals to remain in New York State and continue to live near friends and family. Resident rights and protections that promote independence and consumer choice have driven an expansion of options across the State and seniors have more choice in NY now than ever before. We must not allow this pandemic to dismantle the progress made to date.

Therefore, it is critical that ACFs and ALRs receive financial support from the State and be afforded the opportunity to be included in the health care workforce investments contained in the Executive Budget proposal. We ask for the support of both Houses of the Legislature and the Governor for a \$75 million allocation in the FY 2022-23 NYS Budget.

Argentum NY looks forward to continuing our work with the Governor and the Legislature to ensure that high quality long-term care services continue to be available and are a top priority in the FY 2022-23 NYS Budget.