



October 23, 2020

Ms. Ruth Johnson
Bureau of Health Services Financing
P.O. Box 91030
Baton Rouge, LA 70821-9030

Dear Ms. Johnson:

On behalf of the 250 nursing facilities represented by the Louisiana Nursing Home Association, we submit the following comments to the proposed rule for Nursing Facilities, Reimbursement Methodology (LAC 50:II.20005). The Notice of Intent regarding the aforementioned rule was published in the *Louisiana Register*, September 2020.

When the nursing facility reimbursement statute was passed in 2001, the legislature had the foresight to allow for an increase in the maximum square footage per licensed nursing facility bed for private rooms in nursing facilities. The Medicaid nursing facility statute includes the language to waive the 450 square foot maximum for private rooms. Private rooms require more square footage than semi-private rooms.

Clinical studies have shown that a resident in a private room has better clinical outcomes when compared to semi-private rooms. There is also a clear consumer preference for a private room as opposed to a semi-private room. For many residents, a nursing facility becomes their home and a private room gives them the feeling of privacy that they enjoyed in their previous residence. Confidential conversations with family or clergy may occur without the concern of a roommate overhearing the conversation.

A private room improves their quality of life. Residents enjoy decorating their rooms. A private room is generally larger and allows for a resident to decorate according to their personal style. The additional space also creates the ability to bring furniture from their prior residence that may have special meaning to them or their family. In non-pandemic times, the additional space encourages socialization with family, friends, or fellow residents. Newly built or remodeled nursing facilities have added chapels to meet the residents' religious needs, small cinemas for showing movies and gathering places for coffee and socializing.

The COVID-19 pandemic has greatly demonstrated the need for more private rooms in nursing facilities. The nursing facilities with private rooms, when compared to nursing facilities with semi-private rooms, can better isolate COVID-19 positive residents, cohoring residents who were asymptomatic and reduce the potential spread through reduced contact with other potentially positive COVID-19 residents.

The 450 square footage maximum was established in 2001. Much has changed in those 19 years. Federal and state regulatory requirements have driven nursing facilities to have spaces for large therapy gyms to improve resident outcomes. In addition, more space is required to accommodate a greater number of staff, which is needed to complete significant documentation requirements.

Nursing facilities that have rebuilt with private rooms range in size from approximately 530 square feet per bed to 750 square feet per bed. Increasing the maximum square footage to 550 square feet per bed will encourage nursing facility operators to continue to add private rooms, thereby improving health outcomes for the nursing facility residents of our state while still maintaining the efficiency for the Medicaid program by establishing a reasonable size limit.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Berger". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark D. Berger, CPA CGMA
Executive Director
Louisiana Nursing Home Association