



The Honorable Gavin Newsom  
Governor of California  
State Capitol, 1st Floor  
Sacramento, CA 95814

April 13th, 2020

Dear Governor Newsom,

On behalf of the California Elder Justice Coalition (CEJC) a multidisciplinary network of 80 agencies, advocacy organizations, coalitions, and individuals, and the below-signed advocates, we want to thank you for your commitment to serving seniors and ensuring their safety and security during this time of sheltering in place. We sincerely appreciate your leadership and understanding of the issues affecting those who are most vulnerable during the pandemic. We were especially excited to hear you note in a recent press conference the distinct issues faced by long-term care facilities like skilled nursing facilities (SNFs) and residential care facilities for the elderly (RCFES) such as their need for PPE and the strain on an already limited workforce.

An issue you may not be aware of is the industry standard of care staff working at multiple SNFS and RCFES often during the same day, and regularly crossing county lines to do so.

LTC facilities operators are very aware of this practice and admit to living in fear of staff bringing COVID-19 into the building. And yet when pressed, the response from industry leaders is, "if we didn't utilize staff working in other facilities, we wouldn't have enough staff to cover the pm shift." Additionally, CDPH has directed long-term care facilities to prepare to admit COVID-19 positive residents from acute care hospitals, thereby increasing the odds of staff exposure.

COVID-19 virus is already spreading due to staff working in multiple facilities. Still, if we act quickly, we can slow if not eliminate this unnecessary risk to residents, staff, and the community at large.

We are encouraging your administration to direct long-term care facilities to minimize the total number of staff entering facilities by utilizing overtime and a temporary pay differential for the frontline workers (eg, Caregivers, Certified Nursing Assistants (CNAs), Licensed Vocational Nurses (LVNs), Registered Nurses (RNs), janitorial staff, kitchen workers, and front office staff).

These workers who are doing crucial work on behalf of frail and vulnerable seniors should be rewarded for their sincere commitment to seniors and, like other “essential workers,” be compensated for the additional hours and critical work they are doing during this unprecedented crisis.

On March 31, 2020, the Department of Finance Director, Keely Martin Bosler, signed the Legislature's budget augmentation, Section 36.00 Various Departments, Increase of Emergency Funding for COVID-19 Response. Included in the augmentation was \$41,000,000 to Item 5180-001-0001 for the Department of Social Services for the temporary relocation of residents residing in an adult or senior care facility for circumstances related to COVID-19.

DSS has identified that some of this money can be used to incentivize staff to work at COVID-19 positive facilities through a 20% pay differential.

We respectfully urge a more proactive approach that prevents the virus from infecting facilities in the first place by providing cash incentives for staff to only work in one building.

We have identified three sources of supplemental funding for Skilled Nursing Facilities who agree to a modified (potentially a 12 hour shift) staffing model. The Skilled Nursing Facility Quality and Accountability Special Fund-QLF W&I 14126.022, a federal matching fund to award SNFs for improved quality outcomes. Families First Coronavirus Response Act that includes a 6.2% increase in the Federal Medicaid Assistance Percentage and has been utilized in other states to cover the additional costs of overtime and staff incentive pay. Additionally, managed care organizations could also offset these costs for skilled nursing facilities. One or a combination of these funds should be allocated immediately to skilled nursing providers under the Medi-Cal program to cover the additional costs of incentive pay to help reduce the numbers of staff who work in multiple jobs.

Thank you for your continued leadership, we stand ready to be working partners with you and your administration eager to get to the other side of this pandemic.

Sincerely,  
California Elder Justice Coalition  
California Commission on Aging  
Ombudsman Services of Contra Costa, Solano, and Alameda Counties  
California Long-Term Care Ombudsman Association (CLTCOA)  
WISE & Healthy Aging LTC Ombudsman Program Los Angeles City and County

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California  
Riverside County Long-Term Care Ombudsman Program % Council on Aging- Southern  
California  
San Francisco LTC Ombudsman Program  
Senior Advocacy Services - Sonoma County

Cc:

Senator Toni Atkins, President Pro Tempore  
Assemblymember Anthony Rendon, Speaker of the Assembly  
Senator Shannon Grove, Minority Leader  
Senator Holly Mitchell, Chair Senate Budget Committee  
Senator Richard Pan, Chair, Senate Health Committee  
Senator Melissa Hurtado, Chair Senate Human Services Committee  
Assemblymember Marie Waldron, Minority Leader  
Assemblymember Phil Ting, Chair Assembly Budget Committee  
Assembly Member Adrin Nazarian, Chair Assembly Committee Aging & LTC  
Assemblymember Jim Wood, Chair Assembly Committee on Health  
Assemblymember Eloise Gomez Reyes, Chair Assembly Committee on Human Services  
Keely Martin Bosler, Director Department of Finance  
Adam Dorsey, Program Budget Manager Dept of Finance  
Kim McCoy Wade, Director Department of Aging  
Joseph Rodrigues, State Long-Term Care Ombudsman  
Heidi Steinecker, Deputy Director Center for Health Care Quality  
Pam Dickfoss, Deputy Director Community Care Licensing  
Dr Mark Ghaly, Secretary California Health and Human Services  
Nadine Burke, Harris California Surgeon General  
Richard Figueroa, Governor's Deputy Cabinet Secretary  
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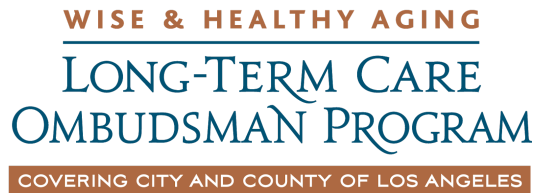
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California Commission on Aging

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HELPING SENIORS REMAIN HEALTHY, CONNECTED & PROTECTED

COVID-19 IS A RAPIDLY EVOLVING SITUATION

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