



AFFINITY

CARE OF MAINE

Testimony of Jessica Duffy

LD 979, Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services

Before the Health and Human Services Committee
April 1, 2025 at 1:00 pm

Senator Ingwersen, Representative Meyer, and Distinguished Members of the Committee on Health and Human Services:

I am here today to testify in opposition to **LD 979, Resolve, Regarding Legislative Review of Chapter 113: Assisted Housing Programs Licensing Rule, a Late-filed Major Substantive Rule of the Department of Health and Human Services.**

My name is Jessica Duffy, and I am a Registered Nurse with over 22 years of nursing experience. I currently serve as the Executive Director for Affinity Care of Maine which is a home hospice company. Prior to this role I served as the Director of Nursing/Executive Director for an assisted living facility in Portland Maine. I am also a board member for the Maine Health Care Association and have served in this capacity for a number of years. Our team at Affinity Care of Maine spend a significant amount of time caring for patients in assisted living, assisted living memory care facilities, and long-term care facilities.

As a young nurse, I went to my nurse manager and told her I supported the minimum staffing requirements fully expecting her to agree with me. Instead, she asked me the following question: "How can you tell what the appropriate staffing should be without knowing the acuity of the patient?" She pointed out that my nursing assignment on any given day includes patients with multiple levels of needs and acuities and simply creating a standard ration does not ensure safe or adequate patient care. Many years later as a nurse and healthcare administrator I can wholeheartedly understand the general belief that adding more staff should result in improved care. Realistically, as an experienced nurse I know that staffing alone does not ensure safe or adequate patient care.

Unfortunately, this one size fits all approach in regard to staffing does not take into consideration the current staffing shortages being experienced in the long-term care sector. Increasing staffing ratios without realistic consideration of workforce availability or funding further threatens our ability to keep our doors open, especially in more rural areas.

Since 2014 Maine has experienced over 50 long term care closures or conversions. Over the past few years, it has become increasingly difficult for older adults to access care and is extremely difficult for older adults with limited resources to access care. These proposed staffing mandates may result in more closures which will further limit the care available for older adults in Maine. The current nursing shortage we are now experiencing was forecasted several years ago. Unfortunately, our state and most of our nation were unprepared. As a registered nurse, I support the addition of nurses in the long-term care

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industry, however the unfortunate reality is that (1) we do not have enough nurses to meet these requirements (2) current levels of reimbursement are not adequate to meet these mandates. Without adjustments in funding, facilities may be forced to downsize or close, displacing residents and cutting essential services.

It goes without saying that our current workforce challenges are taxing every single healthcare employee, especially our colleagues in long term care. Many are burnt out-there are not enough hours in the day to take care of everything on the never ending "to-do" list. Most days involve an inordinate amount of time spent on ensuring appropriate staffing.

The provisionally adopted rules introduce additional administrative and regulatory requirements that will divert critical time and resources away from patient care. Those providers with smaller facilities will have a larger burden as they try to follow the same requirements with less human and financial resources.

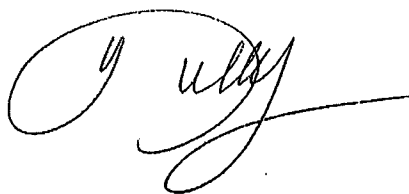
We need comprehensive workforce strategies, such as tuition assistance, loan forgiveness, and most importantly support in the Biennial Budget for wages and benefits that will attract and retain caregivers in long term care settings. Policy makers should prioritize building a robust caregiver pipeline over imposing mandates.

The majority of long-term care providers in Maine CARE about older adults and it shows in their commitment to those they serve. Most of our providers have made this their life's work. I can assure you that no one decides to work in long term care for money or recognition. We do it because we **LOVE** older adults, and we want to ensure that they have the same comfort and care that they provided for us.

It is about **DIGNITY** and **RESPECT** for those entrusted to our care.

Thank you for listening to my heartfelt concerns. It is my hope that we can collaborate and create practical and sustainable solutions. I cannot believe that anyone would want to negatively impact the ability of older adults to access needed care and support. I urge the committee to vote ought not to pass on LD 979. I would respectfully request the opportunity to collaborate on a larger scale and I would personally offer to volunteer my time in an effort to ensure the best for those we serve.

Sincerely,

A handwritten signature in black ink, appearing to read "J Duffy", with a long horizontal flourish extending to the right.

Jessica M. Duffy, RN, BSN
Executive Director/Administrator
Affinity Care of Maine