

Aging Committee JOINT FAVORABLE REPORT

Bill No.: HB-5313
AN ACT CONCERNING TEMPORARY PRICE CONTROLS ON SERVICES
Title: PROVIDED BY TEMPORARY NURSING SERVICES AGENCIES.
Vote Date: 3/10/2022
Vote Action: Joint Favorable Substitute
PH Date: 3/8/2022
File No.:

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SPONSORS OF BILL:

Aging Committee

REASONS FOR BILL:

This bill was raised in order to address concerns about price gouging among temporary nursing service agencies, and to provide a temporary means for countering this.

The JFS language requires DPH registration of agencies by 10/1/22, prohibits operating in state without registration by 1/1/23, requires reporting by agencies to DPH on average fees charged, average wages, benefits of nurses, and requires DSS to set maximum rates for temporary nursing agencies who supply nurses to nursing homes by 1/1/23 based on staff wages.

RESPONSE FROM ADMINISTRATION/AGENCY:

Mairead Painter, State Long-Term Care Ombudsman, Department of Aging and Disability Services, stated that her office supports this bill, on the grounds that the bill will provide necessary accountability for companies and staff providing services to long-term care communities. She stated that she has heard complaints of temporary nursing services pulling away full-time staff from nursing facilities, leaving the facilities shorthanded, and that even the best temporary nursing workers are unfamiliar with the nuances of an individual's care regimen.

NATURE AND SOURCES OF SUPPORT:

Matthew Barrett, President & CEO, CT Association of Healthcare Facilities offered testimony in support of this bill, on the grounds that nursing homes report that nursing pools

routinely hire away staff from the nursing homes and sell them back to the nursing homes are many times the costs. He stated that he feels it is completely proper for the state to curtail these practices. He further argued that the price gouging by these agencies was at a level the nursing homes could not afford to keep up with, and the lack of regulation of temporary nursing agencies exacerbated this issue.

Fairfield Senior Advocates offered testimony in support of this bill, stating that legislative actions are required to curtail the apparent abuses by temporary nursing pool agencies. They stated their belief in the necessity of mandatory registration and cost reporting by temporary nursing pool agencies to the Department of Public Health.

Paul Liistro, CEO, Manchester Manor and Vernon Manor, offered testimony in support of this bill, stating that temporary nursing service pools had been gouging prices with unsustainable fees to nursing homes. He testified that the staffing shortages that have occurred as a result of the pandemic has led to a loss in continuity of care and overall quality of care for residents.

Jean Mills Aranha, Managing Attorney, Connecticut Legal Services, offered testimony in support of this bill, and testified that the provisions in this bill should serve as a protection against price gouging by temporary nursing pools. She expressed concern that temporary nursing services agencies have significantly raised prices they charge to nursing homes for their services during the pandemic.

Mag Morelli, President, LeadingAge Connecticut, offered testimony in support of this bill, but asked the committee to consider expanding the scope to staffing agencies serving the entire health care sector. She provided testimony that temporary nursing staffing agencies had engaged in unscrupulous behaviors, including price gouging. She also stated her interest in having this bill reconciled with the state statute section 19a-123, which defines “nursing pool.”

Several SEIU 1199 New England Union Members offered anecdotal testimonies regarding the strain that an overreliance on pool agency nursing staff had placed on their facilities, and the lack of personalized care temporary staff are inherently able to offer. They provided testimony on the comparatively lower wages they are paid as full-time staff in comparison to temporary staff, and the dangers associated with short staffing that occurs as a result of reliance on temporary agency pool staff. This testimony was provided by:

1. **Nethania Garin, LPN**
2. **Mary Francis, CAN**
3. **Yvonne Foster, CNA**

NATURE AND SOURCES OF OPPOSITION:

Toby Malara, Esq., Vice President, Government Relations, American Staffing Association offered testimony opposing this bill, stating that price caps would hurt workers at nursing homes, and the price controls in question would push workers out of the state. He argued that the price caps were arbitrary and intrusive, and that the bill was too broad to be useful.

David Godbout, Constituent, He expressed opposition to al bills put forward by the Committee under the claim of nullification

Reported by:

Date: 3/16/2022

Cameron Clarke, Committee Clerk
Richard Ferrari, Assistant Clerk