

## In The News

# Judge Blocks Nursing Home Staffing Mandate; States Urged to Lead

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Federally-mandated minimum staffing levels were thrown an obstacle when a federal judge recently ruled against the federal nursing home staffing mandate. Akerman Senior Living & Care Sector Team Co-Chair Greg Limoncelli states the court decision was not unfair, telling *McKnight's Long-Term Care News* that staffing minimums can, and should, be worked out at the state level.

“The way I see it, if the state regulators don’t put on blinders and don’t discount what operators are saying ... If people would just talk about how we can get the best care for residents, the rules as such really won’t matter,” he told *McKnight's*. “Sure, there should be some minimum, but I think a state can probably pick a minimum better for itself than the federal government can.”

Providers pushed back against the mandate, arguing the requirements were unrealistic, especially for rural areas facing severe workforce shortages. While the Centers for Medicare & Medicaid Services (CMS) defended the rule as necessary for resident safety, the judge found that CMS had exceeded its authority.

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