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Testimony of Kristin D. Ewing
Policy Counsel, DC Appleseed Center for Law and Justice

DC Council Committee on Executive Administration and Labor:
Department of Aging and Community Living Oversight Hearing

Thank you for the opportunity to testify regarding performance oversight of the Department of Aging and Community Living (DACL). My name is Kristin Ewing, and I am Policy Counsel at the DC Appleseed Center for Law and Justice (DC Appleseed). DC Appleseed is a non-profit, non-partisan organization that aims to make the District a better place to live and work through litigation, teamwork, and advocacy. Throughout our history, we have taken on some of the District's most challenging problems, developed proposed solutions to those problems, and then worked to implement our proposed solutions.

Much of my work at DC Appleseed focuses on health equity and economic justice, working toward a more equitable, just, and thriving city for all District residents. My testimony today will focus on the District's long term care crisis and the need for a coordinated, whole government and whole District response to ensure an adequate workforce to meet the needs of District residents, particularly aging residents and those living on low incomes.

Long Term Care Crisis

DC Appleseed is a member of the DC Coalition on Long Term Care and chairs the Coalition's Workforce Committee. The Coalition's work is increasingly vital as the District faces a long term care crisis that will continue escalating due to increased need from the large

“Baby Boomer” generation. In the District, the over-65 demographic is projected to increase by 25% between 2019 and 2030. Unfortunately, while we experience a growing need for long term care, we are simultaneously seeing the workforce decline as providers leave the industry, and we fail to address the barriers to retention or create an adequate pipeline and pathway to fill these vacancies. During the renewal cycle in the fall of 2023, over 4000 formerly licensed Certified Nurse Aides (CNAs) and Home Health Aides (HHAs) did not renew their credentials, roughly 30% of the long term care workforce. Already, seniors and others who rely on Medicaid to access care face significant service gaps, particularly during nights and weekends.¹

The urgency of this growing crisis cannot be overstated, and the District can and must take steps to intervene through a coordinated response that involves multiple stakeholders. Addressing staffing shortages, funding, and regulatory challenges is essential to ensure individuals receive the care they need. Strategies may include enhancing workforce training programs, increasing support, resources, and wages for care providers, and advocating for sustainable policies prioritizing the well-being of residents receiving long term care in facilities or their homes. Collaboration and communication among all parties involved will be key to developing practical solutions that can improve outcomes for those needing long term care services.

Whole Government Approach and Comprehensive Strategy

A comprehensive strategy would involve various stakeholders, including government and healthcare agencies, educational institutions and training providers, consumers and family members, advocates, and community organizations, all working together to create a sustainable workforce. DACL and the DC government should adopt these key components of a whole government response:

1. **Increased Funding and Resources:** Allocating more funds to support the recruitment and retention of staff in long term care positions. This could involve financial incentives, grants for training programs, higher Medicaid reimbursement rates, and resources for better

¹ See testimony of Mark Miller, Office of the DC Long Term Care Ombudsman, provided at the February 12, 2025 DC Council Oversight Hearing for the Department of Health Care Finance, [Health -Performance Oversight Hearing - DC Council Hearings Management System](#).

working conditions. Currently, 85% of DC’s HHAs receive public benefits to make ends meet. This data point strongly suggests that wages in this sector fall well below a living wage.

2. **Streamlined Training Programs and Credentialing:** To expedite workforce entry, develop accelerated, accessible training programs and credentialing for new caregivers.
3. **Improving Working Conditions:** Focusing on enhancing job satisfaction by addressing issues like workload, pay equity, benefits, and opportunities for career advancement. This includes creating a better work-life balance and improving economic outcomes for providers.
4. **Public Awareness Campaigns:** Launch campaigns to:
 - a. Elevate the profile of long term care careers, showcasing them as rewarding and essential roles within the healthcare system, which will aid in recruitment and retention; and
 - b. Educate the public about the long term care crisis that will inevitably impact them or their loved ones.
5. **Future-thinking Workforce Planning:** Engaging in long term workforce planning to identify future needs and trends in the sector. This involves data collection and analysis to understand where shortages will occur and proactively address them.
6. **Leveraging Technology:** Utilizing technology to improve training, credentialing, care delivery, career development, and communication with consumers and providers.
7. **Policy Reforms:** Reviewing and reforming policies, regulations, and legislation that impact the long term care sector, including regulations that might hinder staffing flexibility or inhibit innovative practices.

By implementing a coordinated and comprehensive approach, the government can and must work toward resolving the long term care workforce shortage and ultimately improving care outcomes for those who need it.

Brown v. the District of Columbia

The issue of DC’s long term care workforce shortages is increasingly pressing due to the recent holding in the *Brown v. DC* case. On December 31, 2024, the U.S. District Court for the District of Columbia ruled in the class action case *Brown, et al v. District of Columbia*, determining that the District violated DC residents’ rights under the Americans with Disabilities Act (ADA). The court

found that DC failed to adequately inform nursing facility residents about their options to leave for home health services and community-based support and housing. Further, DC failed to assist in facilitating the transition to the community when necessary. This ruling, which concluded 14 years of litigation initiated in 2010 by advocates including Disability Rights DC and AARP Foundation Litigation, underscored the government's obligation to provide the necessary information, assistance, and facilitation of the transition into the community in line with the ADA's integration mandate. Although this case centered on DACL's transition services and the availability of housing, DACL and the District will not be able to move residents with disabilities or seniors to community settings without a healthy long term care workforce, particularly for home health care. DACL must be a leading voice in an entire system approach to addressing the long term care workforce shortage.

DACL's Role

The Coalition is grateful for the leadership of Director Hines and the entire DACL team. However, we urge them to take a more proactive stance in advocating for long term care workers as they are essential to the health of DC's seniors. Specifically, we implore DACL to:

1. **Advocate for the Implementation of the Certified Nurse Aide Amendment Act of 2024:** Champion the implementation of the provisions of this legislation, which will alleviate barriers to credentialing and licensing:
 - a. Allowing CNAs to work in home care positions;
 - b. Developing a universal credential for CNAs and HHAs; and
 - c. Expediting approval for Virginia and Maryland CNAs to work in the District.
2. **Support Medication Aide Training:** Support the swift establishment of Medication Aide training providers in the District to improve patient care and free nurses for other tasks. Standards for certifications for Medication Aides were finalized in 2019. However, the Board of Nursing has not approved any training organizations to offer the training, although we understand several organizations have applied to serve as vendors.
3. **Alleviate Barriers to Training and Credentialing:** Support initiatives to investigate the barriers to creating and sustaining successful training programs and adequate, timely testing and credentialing for CNAs and HHAs.

4. **Enhance Communication:** Improve communication with providers, consumers, students, training facilities, families, and residents about changing regulations, career pathways, and long term care programs and options.
5. **Support Wage Increases for Long Term Care Workers:** Low wages play a huge role in the long term care workforce shortage. While implementing the above recommendations can go a long way toward removing barriers, we must work to increase Medicaid rates to ensure DC can attract workers for these roles. We will discuss the pay issue and the funding of the unfunded portion of the Certified Nurse Aide Amendment Act of 2024 at upcoming budget hearings.
6. **Champion a Whole Government Approach:** DACL and the Committee on Executive Administration and Labor are not the only entities involved in addressing the workforce crisis. Several different agencies and Committees, including the Department of Health Care Finance, DC Health, the Board of Nursing, the Committee on Health, the Executive Office of the Mayor, the Office of the State Superintendent for Education, the Department of Employment Services, the Committee of the Whole, and others, all need to be at the table to create a successful whole government approach to this issue. We also need to ensure that providers, training schools, students, consumers, family members, and advocates are part of creating solutions and eliminating obstacles.
7. **Support a DC Government Long Term Care Coordinator Role:** We hope that DACL and the Committee will support identifying a point person within the government to facilitate continuous collaboration and convening of all DC government stakeholders moving forward.

Thank you for your time and attention to these critical matters. We look forward to continuing to work together to make DC a better place to live and work. I am grateful for the opportunity to share my testimony and will happily answer any questions.

Respectfully submitted,



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