



**Governor's Advisory Council for Exceptional Citizens (GACEC)**  
**516 West Loockerman St., Dover, DE 19904**  
**302-739-4553 (voice) 302-739-6126 (fax) <http://www.gacec.delaware.gov>**

April 28, 2026

Amanda Levering, Director  
Division of Health Care Quality  
253 Chapman Road  
Newark, DE 19720

**RE: 29 DE Reg. 837 DHSS Division of Health Care Quality Proposed 3103 Temporary Staffing Agencies regulation (April 1, 2026)**

Dear Director Levering:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the proposed regulations published by the Department of Health and Social Services (DHSS) Division of Health Care Quality (DHCQ) to implement House Bill No. 204 which was signed into law in September of 2024. Council **endorses** the proposed regulations since the regulations implement the bill; however, we would like to share our observations with you.

Council contends that there are negative consequences of over-utilization of temporary staffing agencies. First, nursing staff from agencies are not employees of the facilities they serve. They are transient, they are not trained by the facilities themselves and they have no real connection or loyalty to the institutions where they are placed or the residents within them. Studies have demonstrated negative resident outcomes associated with the use of transient staff.

Second, temporary agency staff are more expensive. This puts more fiscal pressure on the facilities, who then cannot raise wages for permanent staff. Use of temporary staff can undermine employee retention. This is a vicious cycle. This also leads to pressure to increase Medicaid reimbursement rates, which puts pressure on the state budget.

Council would like to request data on the current utilization of temporary agencies to assist in our understanding of the role and expense of temporary staff. We would like to request information on why there are vacancies in permanent staff to begin with. We would also encourage DHCQ to support initiatives that increase the stability and quality of LTC facility staff.

Thank you for allowing us the opportunity to share our observations with you. We look forward to receiving information on our request for data on the current utilization of temporary agencies. Please contact Pam Weir or me at the GACEC office if you have any questions on our comments.

Sincerely,

*William H. Doolittle*

William H. Doolittle  
Chairperson

WHD: kpc