



**HEALTHCARE MORTGAGEE ADVISORY COUNCIL**

Financing Seniors Housing for America

# Where We're Going, We Don't Need Roads...

Legislative & Advocacy Update

# Panelists



**Jenifer Williams**

**Chief Underwriter-  
Healthcare**

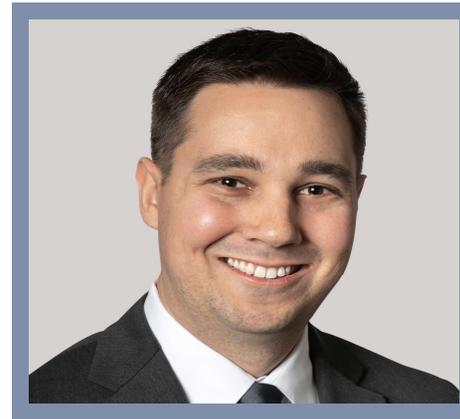
**Berkadia**



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**VP Commercial/Multifamily  
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**Dana Ritchie**

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**AHCA/NCAL**

**HEALTHCARE MORTGAGEE ADVISORY COUNCIL**

Financing Seniors Housing for America

# MBA<sup>®</sup>

MORTGAGE BANKERS ASSOCIATION

## 2025-2026 Update

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# ORCF Performance

- 470 Firms issued by September 30
  - \$7.6 billion – higher than the last 10 years
- Before shutdown was down to 22 deals
- Averaging 51 days from Firm to submittal to closing package, another 60 days to close.



If you put your mind to it, you can accomplish anything! ~Marty McFly

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# Express Lane

- 20 firm commitments as of September 30 (13% of 223f applications)
- Only 2 non-qualified
- Several moved to firm within a day or two!
- Ways to qualify and make it quick
  - Address all environmental issues
  - Provide Cap Ex documentation
  - Loan amount cannot exceed \$50m
  - Use of APPS and HEROS is helpful (not required)



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# Wanted Changes

- Environmental Mortgagee Letter
- Independent Living more than 25%
- Removal of 3-Year Rule Guidance
- Removal of Bathroom Requirements for AL/B&C
- Revised SOW for Legal Review





## Closings Reimagined Industry Proposal

- Proposal Objective- reduce OGC's burden related to closings, which has become unmanageable due to the following:
  - Record level of FIRMS issued by ORCF (due to increased efficiencies they've put in place and greater utilization of underwriting contractors)
  - DoGE staff reductions hit OGC especially hard and have exacerbated already-strained OGC capacity
- Proposal does not require a change in any policy
- Recommendations reduce OGC's review to documents that are essential to perfecting HUD's collateral in the event of default and assignment.
  - Facilitated by a shift to having lender and lender's counsel certify to the accuracy of many documents.

## Support for this effort

Our initial engagement with Lenders and Law Firms signals broad support for the proposed approach.

### LENDERS

- Berkadia
- MBA
- AGM
- Centennial
- Colliers
- Columbia National
- Dwight
- Forbright
- Gershman
- Greystone
- Harper Capital
- JLL
- Lument
- Mason Joseph
- Merchants Capital
- M&T
- Vium Capital
- Walker & Dunlop
- X-Caliber

### LAW FIRMS

- Troutman Pepper Locke
- Ballard Spahr
- Levy, Levy & Levy
- Miles & Stockbridge
- Tiber Hudson
- Vorys, Sater

# Status of Industry Closings Proposal

- Sent to OHP Leadership, FHA Commissioner, and HUD Secretary just prior to the government shutdown
- Initial conversations with the FHA Commissioner have started and signal there is interest in trying to further this cause
- With government reopening, more detailed discussions are anticipated in the near term

# Where We're Going, We Don't Need Roads...But We Do Need Change!: Legislation & Advocacy Update

Healthcare Mortgagee Advisory Council Conference  
November 2025

Presented by Dan Samson  
Director of Government Relations, Argentum



# Who We Are:

- National non-profit association
- Represent 75% of the nation's professionally managed assisted-living and memory care/Alzheimer's care communities
- Assisted Living, Independent Living, Memory Care, & Continuing Care communities, care for nearly two million seniors



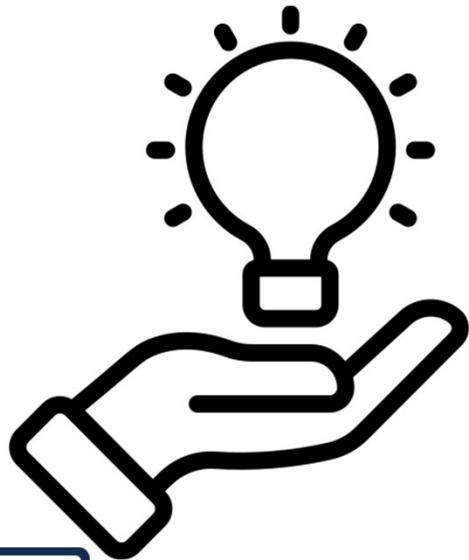
ARGENTUM  
EXPANDING SENIOR LIVING

Argentum is the leading national association representing 75 percent of professionally managed assisted living, independent living, memory care, and continuing care retirement communities. These communities offer choice, dignity, security, and comfort in the final years of life to nearly two million vulnerable seniors.



# Importance of Advocacy

**1.** Promote public policy solutions to our challenges



**2.** Prevent harmful public policy from taking shape



**3.** Education and awareness (Tell Our Story)



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# Importance of Advocacy

## 1. Promote public policy solutions to our challenges

- **NEW LAW:** Veterans assisted living pilot program
- Older Americans Act reauthorization
- Caring for Seniors Act, Credit for Caring Act, Care Across Generations Act, SENIOR Act (& More).

## 2. Prevent harmful public policy from taking shape

- Excluded assisted living from Health Over Wealth Act (*& related bills*)
- Prevented introduction of new federal regulations of assisted living
- Countered national media narrative

## 3. Education and awareness (Tell Our Story)

- “I Love Assisted Living”
- Community visits with lawmakers



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# Expanding Access to Care



JANUARY 02, 2025

## Press Release: Bill Signed: S. 141

 BRIEFING ROOM  LEGISLATION

On Thursday, January 2, 2025, the President signed into law:

S. 141, the “Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act,” which amends various Department of Veterans Affairs authorities related to health care, economic opportunity, disability and memorial affairs, veteran homelessness, and oversight and investigations.

Thank you to Senators Moran, Tester, and Hassan, Representatives Ciscomani, Bost, Brownley, and Takano, and many others for their leadership.

###



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Argentum  
**Advocates**  
for Seniors 

# Preventing Harmful Regulation – “HOWA”

## Health Over Wealth Act (2024)

S. 4804 | Sen. Ed Markey (D-MA)

H.R. 9156 | Rep. Primila Jayapal (D-WA)

- Treats rent payments as non-qualifying REIT income and **requires any health care entity** seeking to enter into an agreement to sell to, or lease from a REIT **to submit the sale or lease to HHS for review.**
- HHS could block any agreement that would lead to a long-term weakened financial status of the health care entity or place the public health at risk.

11 “(4) HEALTH CARE ENTITY.—The term ‘health  
12 care entity’ means an entity that **owns/**  
13 **cludes/consists of** 1 or more of the follow  
14 care providers:  
15 “(A) A hospital.  
16 “(B) A physician practice.  
17 “(C) An assisted living or skilled nursing  
18 facility.  
19 “(D) A hospice facility.  
20 “(E) A mental **or** behavioral health care  
21 provider.  
22 “(F) An opioid treatment program.  
23 “(G) A provider of services (as defined in  
24 section 1861(u) of the Social Security Act (42  
25 U.S.C. 1395x(u)) or a supplier (as defined in

Original  
Draft

11 “(4) HEALTH CARE ENTITY.—The term ‘health  
12 care entity’ means an entity that consists  
13 more of the following health care providers:  
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19 provider.  
20 “(F) An opioid treatment program.  
21 “(G) A provider of services (as defined in  
22 section 1861(u) of the Social Security Act (42  
23 U.S.C. 1395x(u)) or a supplier (as defined in  
24 section 1861(d) of such Act (42 U.S.C.

Final  
Draft

Through Argentum’s leadership, assisted living was the **only entity to be excluded** from the legislation between the draft version and final version as introduced.

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# **New: Stop Medical Profiteering and Theft (MPT) Act**

S. 2989 | Sen. Ed Markey (D-MA)

Purpose: To establish regulatory oversight to address health systems from “so called” predatory leaseback deals with real estate investment trusts (REITs).

- Prohibit a health care entity entering into a lease or sale agreement with a REIT that could weaken its financial status or place public health at risk;
- Allow HHS to review all lease agreements to determine whether the agreements would lead to a long term weakened financial status; and
- Close tax loopholes for REITs for rental income from health care properties.

The text of definitions mirrors the Health Over Wealth Act, therefore it **does not include assisted living.**

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# Argentum's Advocacy Priorities

## 1. Improve Affordability And Accessibility of Long-term Care

- A. Utilize the tax code to help seniors access care
- B. Build upon existing programs & create flexibility
- C. Streamline community development

## 2. Invest In Long-term Care Workforce Development To Reduce Shortages

- A. Better focus existing workforce programs
- B. Provide resources to study & solve caregiving shortages
- C. Accessing foreign born talent to support LTC workforce needs



The U.S. population aged 65 and older will grow from **55 million in 2020 to 80+ million by 2040.**



More than two-thirds of people will need some form of long-term care in their lifetime, and **two-in-five will need care for two or more years.**



There are not nearly enough caregivers to meet the growing needs of our seniors, **more than 20 million workers are needed by 2040.**



There is a projected shortage of **881,000 assisted living apartments** by 2030, with \$1 trillion in development needed by 2050.

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# Legislative Priorities:

Affordability & Workforce	Promote Senior Socialization	Support Veterans' Care Choices	Tax Reforms
<p><b>H.R. 3000</b>, <b>Caring for Seniors Act</b> – Cost-reduction for middle-income seniors, expand existing workforce programs</p>	<p><b>H.R. 1812</b>, the <b>Care Across Generations Act</b> – grants to co-locate LTC and childcare centers</p> <p><b>S. 473</b>, the <b>Social Engagement and Network Initiatives for Older Relief (SENIOR) Act</b> – OAA updates</p>	<p><b>Elizabeth Dole Act</b>, implement the assisted living pilot program, expand Aid &amp; Attendance</p>	<p><b>H.R. 2036 &amp; S. 925</b>, the <b>Credit for Caring Act</b> – \$5,000 tax credit for LTC</p> <p><b>H.R. 138 &amp; S. 1565</b>, the <b>Lowering Costs for Caregivers Act</b> – HSA/FSA for parent's expenses</p> <p><b>H.R. 1177 &amp; S. 492</b>, the <b>Improve and Enhance the Work Opportunity Tax Credit Act</b> – tax credits to hire caregivers</p>



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# Administration/Regulatory Advocacy



**Increase access and affordability** of seniors housing and care, and to **develop the caregiving workforce** that will be needed to support our seniors.



Allow Medicaid-eligible seniors the right to choose assisted living for their long-term care needs by permitting CMS and states to expand **Medicaid assisted living programs**.



Streamline the Low-Income Housing Tax Credit and HUD **Sections 223(f) and 232**; adjusting income thresholds to expand options for middle-income seniors; utilizing Fannie Mae and Freddie Mac programs for affordable housing initiatives.



Expanding the **pilot program** for more veterans to choose assisted living for their care needs, and the Aid & Attendance program.

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# Federal Housing Policy Priorities

1. New Express Lanes for Section 232/223(f)
2. Streamline HUD Sections 223(f) and 232
3. Re-evaluate AMI metrics and adjust income thresholds to expand options for middle-income seniors
4. Utilizing Fannie Mae and Freddie Mac programs for affordable housing initiatives
5. Tax credits and financing incentives, including LIHTC



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# What's Next?

## Argentum Activities:

### 1. Strategic Vision



**Develop  
Our  
People**



**Measure  
What  
Matters**



**Tell Our  
Story**



**Increase  
Access**

### 2. Capital Advisory Board

## THE WEST WING

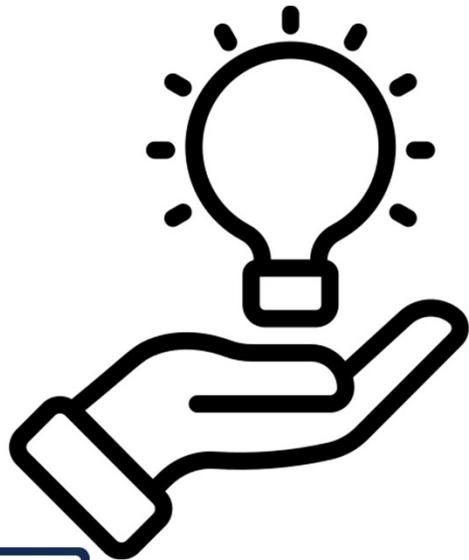


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# Recap: Importance of Advocacy

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**2.** Prevent harmful public policy from taking shape



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# Join Us – Become an Argentum Advocate

★ ★ ★ ★ ★ ★



**REPUBLICAN**



**DEMOCRAT**



**ARGENTUM  
ADVOCATE**

✓

★ ★ ★ ★ ★ ★

## AHEAD

INSIGHT, POLICY AND NEWS YOU NEED TO STAY AHEAD

BY ARGENTUM



**Argentum Advocates**  
ADVOCATING FOR SENIORS AND LONG-TERM CARE



**Emergency Preparedness Checklist**

Your input needed. Emergency Preparedness Guidelines for Assisted Living Communities. You're invited to participate in the stakeholder review of the proposed Emergency Preparedness Guidelines for Assisted Living Communities, developed by the Quality in Assisted Living Collaborative (QALC). [Read more.](#)



**Lawmakers Introduce Bipartisan Immigration Bill**

Last week Rep. Steve Souzler (R-TX) and Veronica Escobar (D-TX) introduced H.R. 4926, the Dignity Act of 2025, a bipartisan bill to strengthen border security, enforce immigration laws, require nationwide use of E-Verify, and offer a path to legal status for long-term undocumented immigrants. [Read more.](#)



## The Value of Assisted Living for America

### THE VALUE OF ASSISTED LIVING

Assisted living is a cost-effective long-term care (LTC) model, providing 24-hour care. Residents live in residential apartment homes and share common spaces.

71% of assisted living residents are 75+ years old.

42% of assisted living residents are 85+ years old.

**ASSISTED LIVING IS THE MOST AFFORDABLE CHOICE OF SENIOR CARE**

Independent Living	\$4,500
Assisted Living	\$9,034
Nursing Home	\$19,854



### House Passes H.R. 1, Sends to President Trump

By Argentum, July 3, 2025 at 4:41 PM

This afternoon, the U.S. House of Representatives voted 218-214 to pass H.R. 1, the budget reconciliation package to advance major parts of the Trump administration agenda. The package was passed without changes from the Senate-passed version, and will go to President Trump to be signed into law for an expected July 4 signing ceremony tomorrow.

As we noted previously, the legislation does not directly impact Medicaid assisted living programs. Argentum has actively advocated against any cuts to Medicaid assisted living and successfully defeated reductions to the Federal Medical Assistance Percentage (FMAP), which could have drastically reduced Medicaid spending and potentially impacted assisted living. As the legislation is implemented, Argentum will be working directly with our State Partners to ensure that state-level reforms do not impact assisted living programs or participants.

The final package also includes a tax deduction for seniors of \$9,000 for individuals and \$12,000 for couples. The deduction phases out beginning at \$75,000 (\$150,000 for couples) and completely at \$175,000 (\$250,000 for couples). The deduction is set to expire in 2028. While this measure is not the targeted long-term care tax credit Argentum sought, it will help to offset some long-term care expenses to increase access and affordability of care. We will continue to advocate for the bipartisan Credit for Care Act (H.R. 2038 and S. 929) to provide a \$5,000 tax credit specific for long-term care expenses as a separate measure this Congress.



Learn More

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# Connect With Us:



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# AHCA/NCAL Update

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**Dana Ritchie**

Associate VP of Workforce & Constituency Services





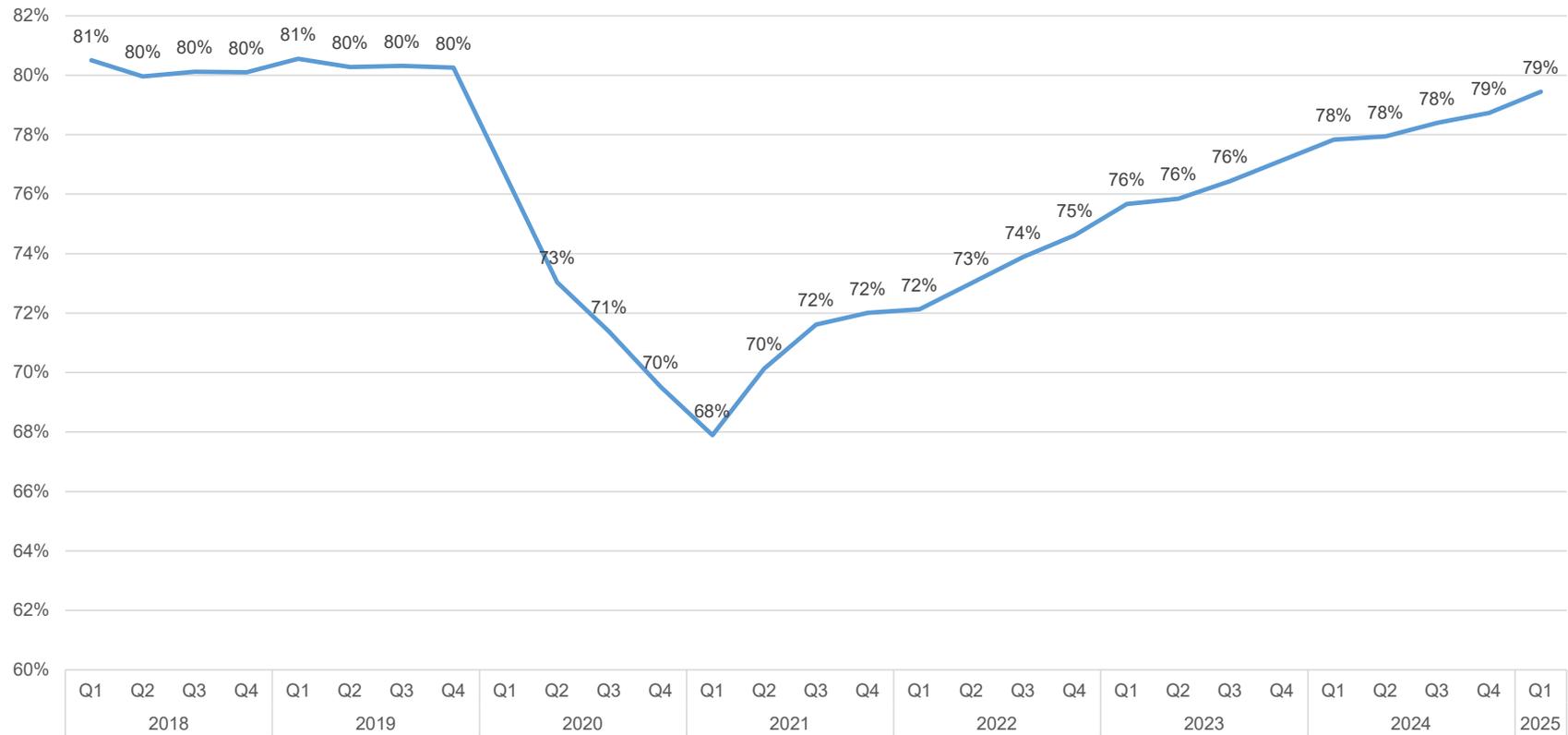
## Who We Are and What We Do

- Federation model
  - 48 NCAL state affiliates
  - 50 AHCA state affiliates
- Members
- Voice in Washington
- Leader on Quality



# Industry Trends

# SNF Occupancy (PBJ)



**Feb 2020**  
**1,586,500**

**Nursing homes still need  
30,000 workers  
to return to pre-pandemic levels.**

**Aug 2025**  
**1,556,500**

**Mar 2022**  
**1,339,400**



## NURSING HOMES: WORST IMPACTED THAN ANY OTHER HEALTH CARE SECTOR

Percent Change in Health Care Sector Employment Since Feb 2020

12.5%



Physicians'  
Offices

12.6%



Outpatient  
Care

17.6%



Home  
Health

10.1%



Hospitals

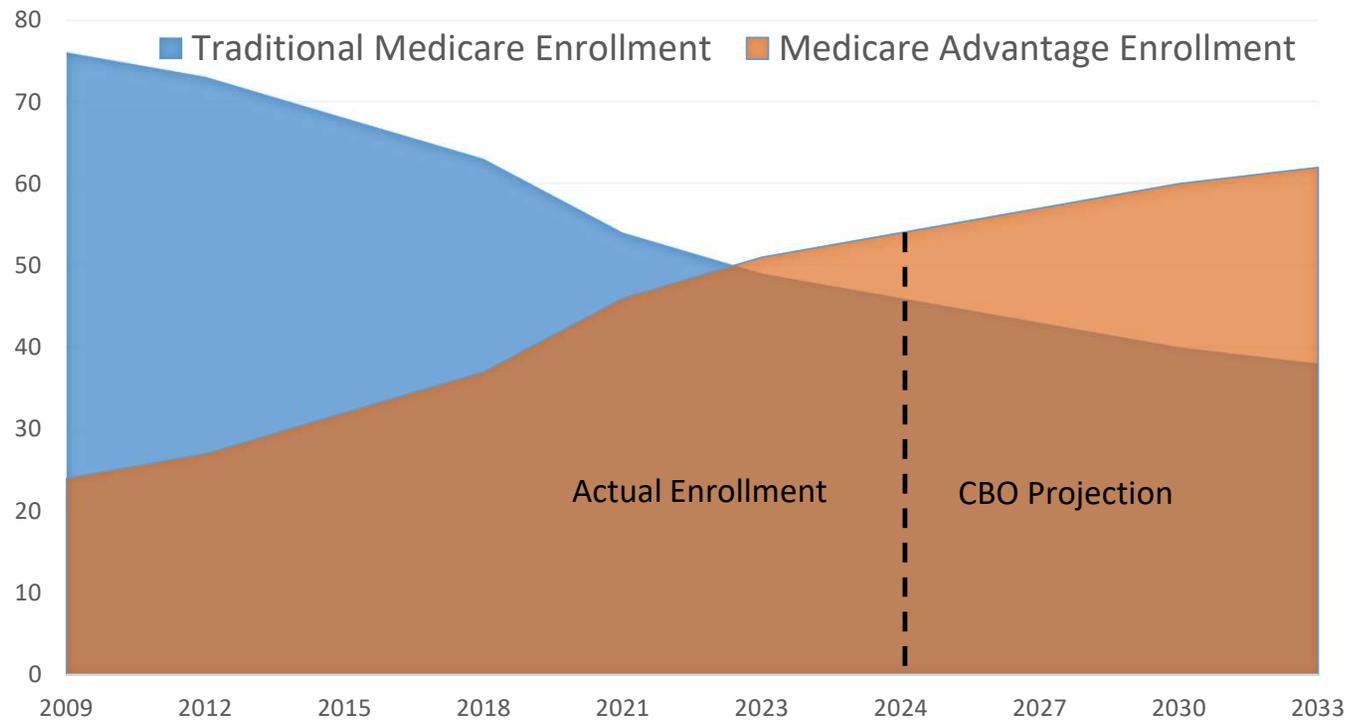
-1.9%



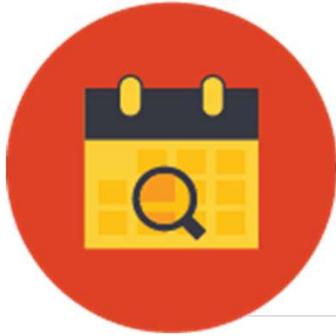
Nursing  
Homes



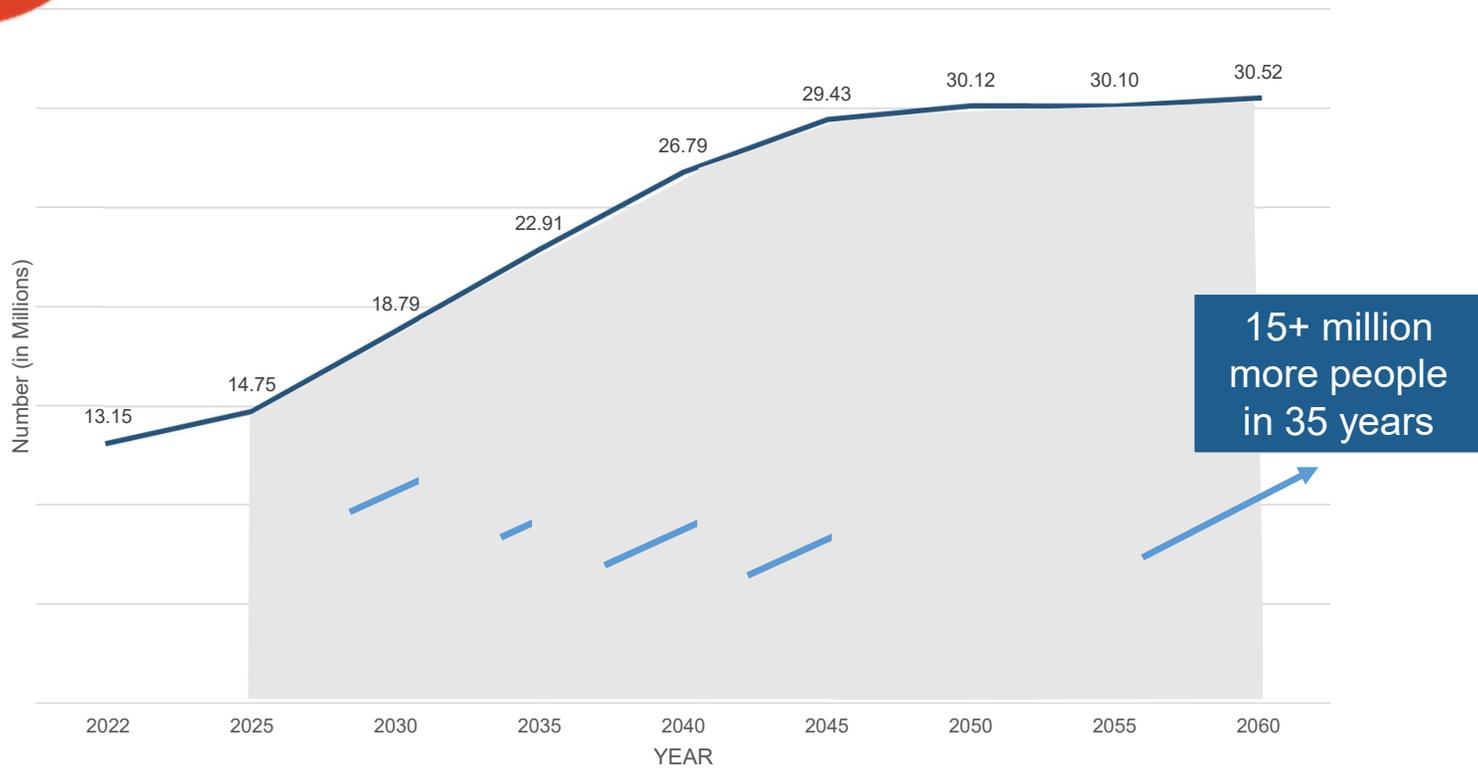
# Medicare Advantage is Now the Majority – Projections (2024-2033)



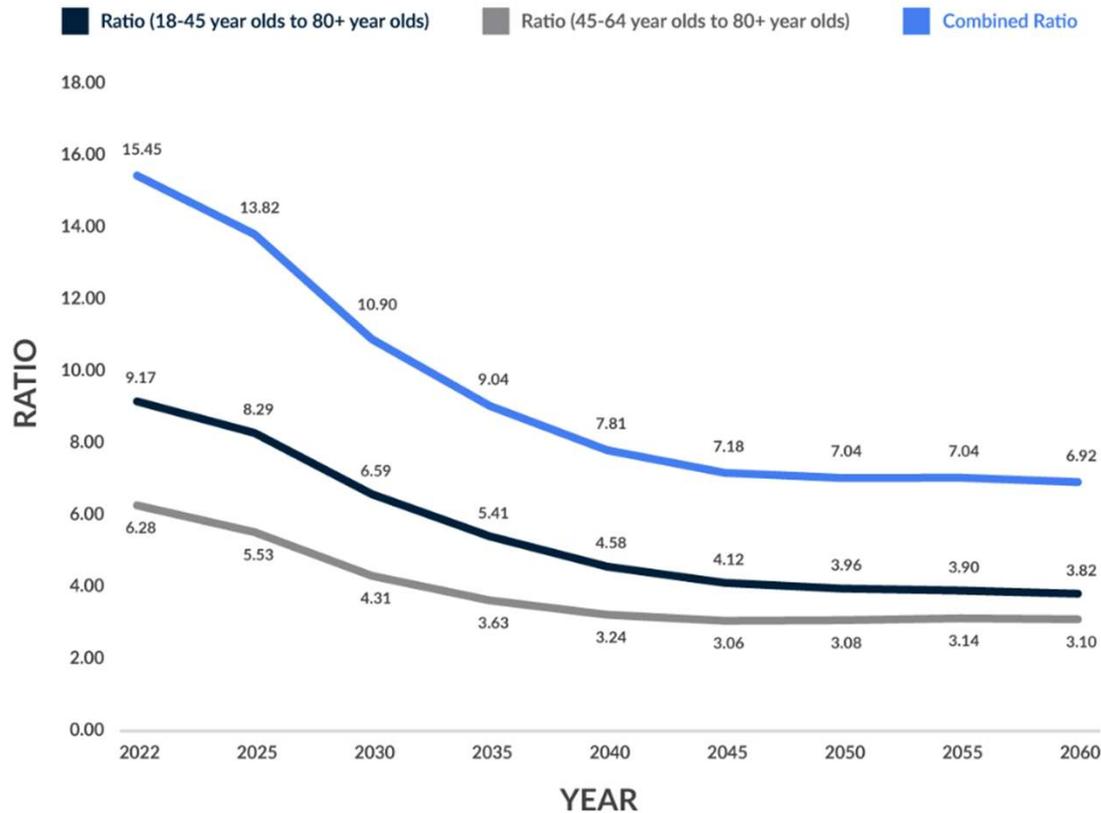
SOURCE: KFF analysis Medicare Chronic Conditions (CCW) Data Warehouse from 5 percent of beneficiaries, 2010-2016; CCW data from 20 percent of beneficiaries, 2017-2020; and Medicare Enrollment Dashboard 2021-2023. Enrollment numbers from March of the respective year. Projections for 2023 to 2033 are from the May Congressional Budget Office (CBO) Medicare Baseline for 2023. • PNG



# Population Projections of 80+ Year Olds from 2022-2060



# The Future Workforce



This graph demonstrates the declining ratios of 18–44-year-olds to 80+ year olds and 45–64-year-olds to 80+ year olds in the United States, indicating the need for caregivers as our population ages.

Data Source: [US Census Bureau 2023 National Population Projections](#)



# Association Update



# The Better Way

AHCA's forward-looking policy agenda to deliver bold solutions for quality long term and post-acute care.

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# AHCA 2025 Policy Agenda

Our work will remain centered on finding efficient and effective solutions that support the continued delivery of high-quality care to our nation's seniors and individuals with disabilities.

## Key priorities include:

01

**Strengthening the  
Long Term Care  
Workforce**

02

**Reaffirming the  
Promise of  
Medicare Advantage**

03

**Rationalizing  
the Regulatory  
Environment**

04

**Supporting States at the  
Local Level with  
Medicaid**

01

Strengthening  
The Long Term  
Care Workforce

# Caregivers for Tomorrow

**AHCA/NCAL's new workforce policy campaign works to advance meaningful solutions that will strengthen the long term care workforce**

- **Overall objective:** To drive policy change to strengthen and expand the long term care workforce through innovative, sustainable solutions
- **Component of the Better Way:** Calls for investing in workforce development, streamlining career pathways and fostering environments where caregivers can thrive
- **Highlights our top priorities** to point policymakers toward tangible actions that can move the needle and make a difference
- **Solutions:**
  1. Building the Pipeline
  2. Recruitment & Retention
  3. Training & Career Growth
  4. Technology & Innovation

Learn more:

[www.ahcancal.org/workforcesolutions](http://www.ahcancal.org/workforcesolutions)

# Solutions

[www.ahcancal.org/workforcesolutions](http://www.ahcancal.org/workforcesolutions)

## RECRUITMENT & RETENTION

Develop **incentive programs to recruit workers to long term care**, such as loan forgiveness, tax credits, affordable housing, & childcare support.

Offer grants to support partnerships between nursing homes and higher learning institutions that include **student scholarships** or **employment of students at LTC facilities**.

## TRAINING & CAREER GROWTH

Expand and expedite **career ladder programs in nursing** to increase the availability of registered and licensed nurses, with a focus on upward mobility from entry-level roles.

Provide grants to support the development of skills and **ongoing training** for the nursing workforce, including the expansion of **apprenticeship programs** and accessible **education programs**.

## TECHNOLOGY & INNOVATION

Extend **telehealth flexibilities** to improve access to care, especially in rural areas.

Advance **federal health information technology** and **AI clinical policies** to include long term and post-acute care providers, to streamline processes for and reduce burnout among caregivers.

## BUILDING THE PIPELINE

Pass **common-sense immigration reform** that expands and streamlines legal pathways for international caregivers to work in the long term care profession.

Allocate funding to **nursing schools** that both **address faculty shortages** and **promote graduate placement** in nursing homes.



# Workforce Legislation

- **Healthcare Workforce Resilience Act**
  - Allows for the recapture of unused visas from previous fiscal years for doctors, nurses, and their families
- **Ensuring Seniors' Access to Quality Care Act**
  - Allows nursing facilities that have been required to terminate their in-house education programs to resume those programs once deficiencies are corrected
- **Train More Nurses Act**
  - Directs the Secretary of HHS and the Secretary of Labor to conduct a review of all nursing grant programs to find ways to increase faculty at nursing schools
- **Certified Nursing Assistant (CNA) Workforce Improvement Act**
  - Expands the number of qualified supervisors for CNA training programs
- **Caring for Seniors Act**
  - Aims to bolster the senior living workspace by investing in workforce development programs focused on meeting the needs of older adults

# Workforce Partnerships

- Vision Centre – Building our LTC workforce future ([www.visioncentre.org](http://www.visioncentre.org))
- Equus Workforce Solutions – Apprenticeships ([equusworks.com](http://equusworks.com))
- State Initiatives
- AHCA/NCAL LTC Workforce Webinar Series



# Quality at the Core

AHCA's Policy Priorities are centered on our mission:  
*improving lives by delivering solutions for quality care.*

Learn More: [ahcanca.org](https://ahcanca.org)

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# A Better Way: Our Solutions

- Create more effective and balanced oversight that prioritizes quality care while maintaining safety, accountability, and transparency.
- **Examples:**
  - **Update the Five-Star Rating System:** to provide more complete and useful information to consumers.
  - **Expand Risk-Based Surveys Nationwide:** to reduce survey backlog, recognize higher-quality facilities, and incentivize more facilities to qualify.
  - **Improve Access to the Civil Monetary Penalty Reinvestment Program:** to increase use of funds on quality improvement initiatives; allow them to be used for workforce programs and technology investments to enhance care.
  - **Strengthen the Special Focus Facility Program:** to help poor-performing facilities get better and out of the program.

# AHCA/NCAL National Quality Award Program

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**AHCA**<sup>®</sup>  
AMERICAN HEALTH CARE ASSOCIATION

**NCAL**<sup>®</sup>  
NATIONAL CENTER FOR ASSISTED LIVING



# AHCA/NCAL National Quality Award





# Program Advantages

- Mission: promote and support the application of **continuous quality improvement**.
- Vision: providers **improve lives** by engaging with the Quality Award Program to achieve and sustain performance improvement.

## Benefits

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Outside perspective

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Learning from feedback

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Team building

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Becoming stronger and more resilient

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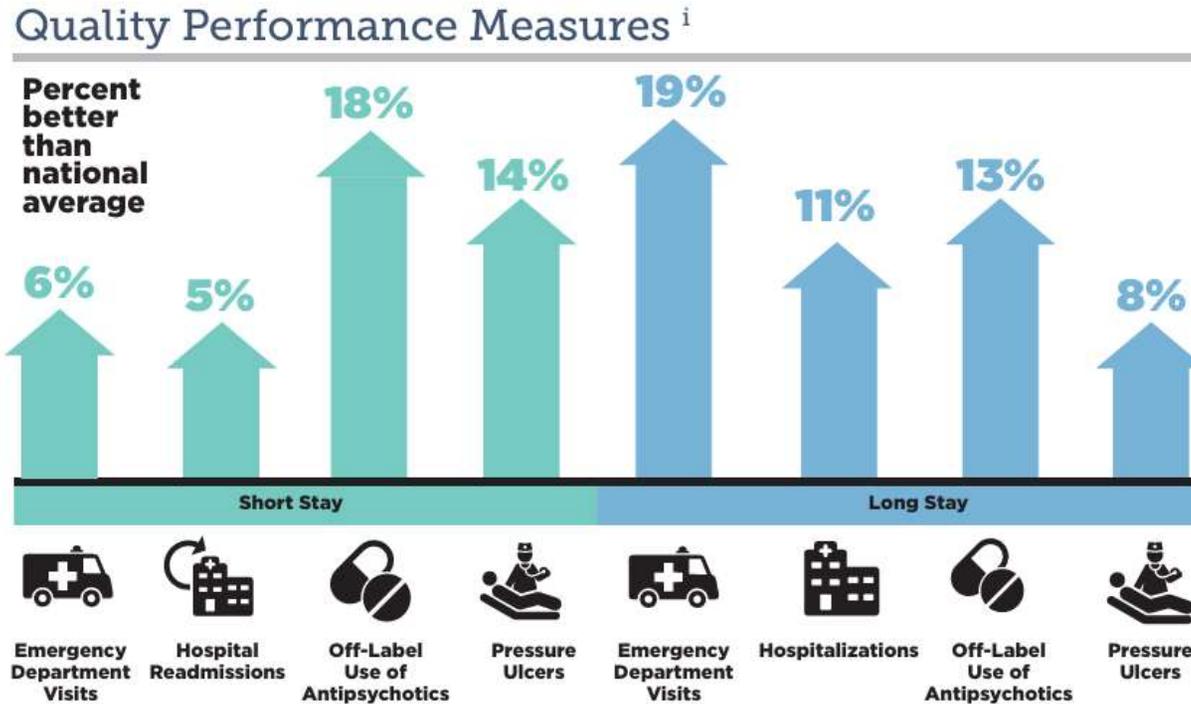
Focus on results

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Recognition and pride



# Organizational Excellence: Better Quality

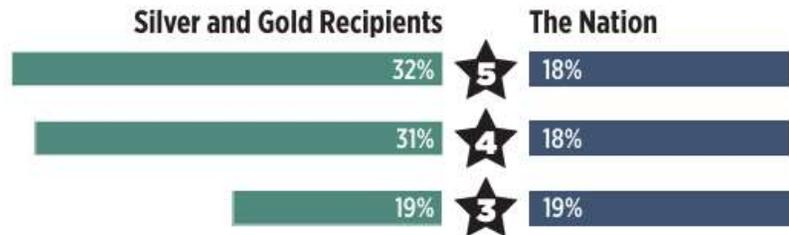




# Organizational Excellence: Better Five Star Ratings

Starpower<sup>ii</sup>  
Five Star Ratings

## Overall Five Star Rating



**Survey**  
**81%** Quality Awards  
**55%** The Nation

**Staffing**  
**70%** Quality Awards  
**57%** The Nation

**Quality Metrics**  
**84%** Quality Awards  
**73%** The Nation



# Organizational Excellence: Better Business Outcomes

## Business Advantage for Owners <sup>iii</sup> Active Silver and Gold Recipients vs. the Nation

### Occupancy Rate



**82%** Quality Awards

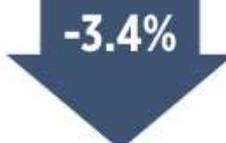
**77%** The Nation

### Operating Margin

Quality Awards



The Nation



### Staff Turnover

	Quality Awards	The Nation
<b>All Nursing Staff %</b>	<b>42%</b>	<b>47%</b>
<b>Registered Nurses %</b>	<b>37%</b>	<b>44%</b>
<b>Administrators #</b>	<b>0.37</b>	<b>0.56</b>

# 2026 PROGRAM DATES



➤ **Application Packets & Criteria Series**

*NOW AVAILABLE*

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➤ **Quality Award Portal and Intent to Apply**

*NOW OPEN*

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➤ **Intent to Apply Deadline**

November 13, 2025

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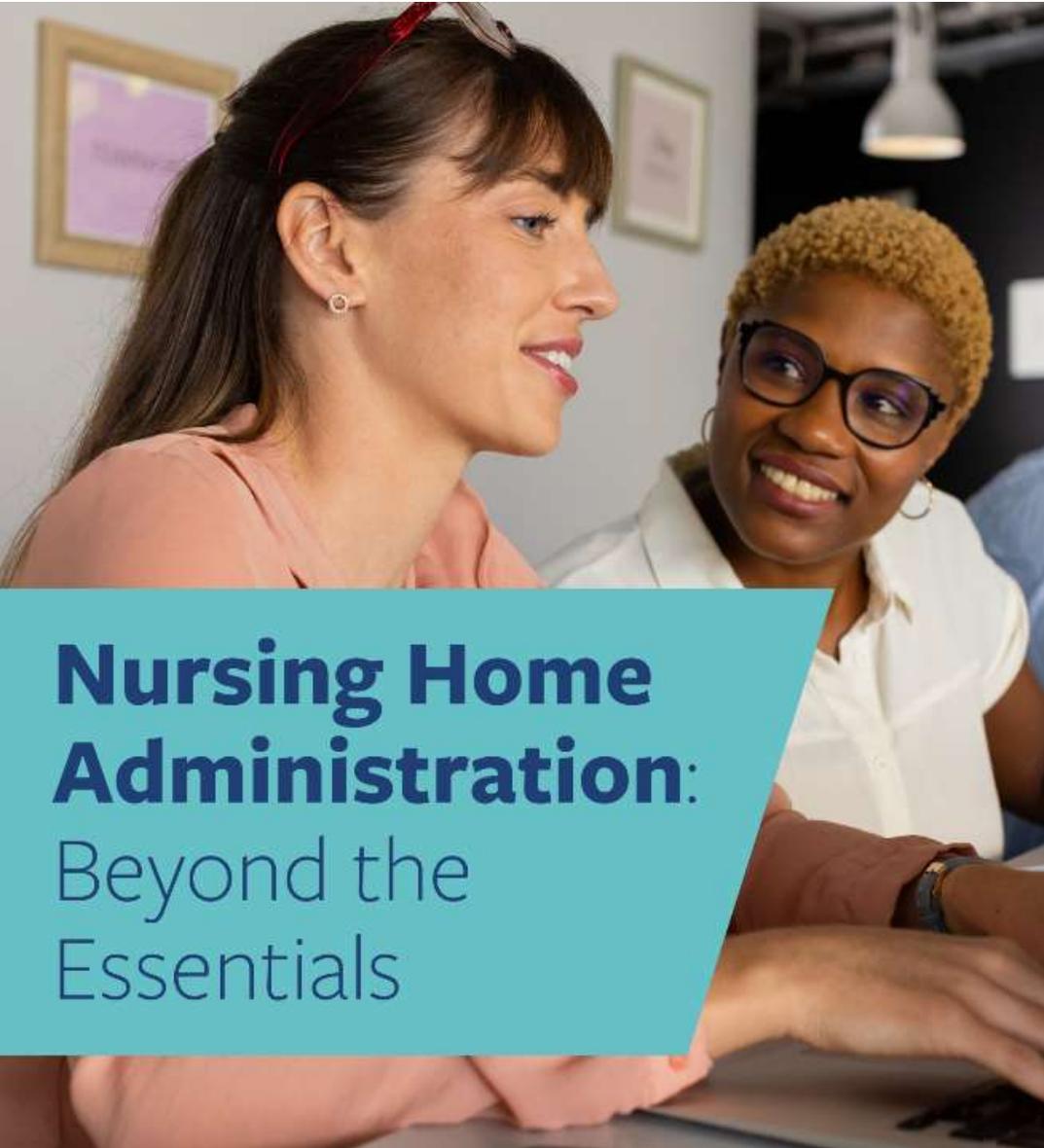
➤ **Application Deadline**

January 22, 2026



\*\*\*All deadlines close at 8pm EST.

Visit us at: [www.ahcancal.org/qualityaward](http://www.ahcancal.org/qualityaward)



# Nursing Home Administration: Beyond the Essentials

This on-demand training provides a comprehensive review of a variety of topics affecting how administrators run skilled nursing facilities.

The modules relate to all aspects of facility management including:

- Financial
- Clinical
- Regulatory
- Leadership

Under each of these overarching topics are detailed webinars reviewing important areas.

[AHCA Education: Nursing Home Administration: Beyond the Essentials](#)



AHCA/NCAL 2025

# Quality Summit



APRIL 7-9, 2025  
ATLANTA, GA

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AMERICAN HEALTH CARE ASSOCIATION NATIONAL CENTER FOR ASSISTED LIVING

# Population Health Management Summit

APRIL 9-10, 2025 • ATLANTA, GA



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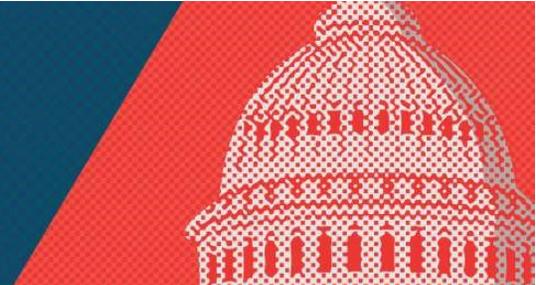
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**JUNE 9-10, 2025**  
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# DELIVERING SOLUTIONS 25

AHCA/NCAL CONVENTION & EXPO  
OCTOBER 19-22, 2025 | LAS VEGAS, NV



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# Questions

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