



General Assembly

January Session, 2003

Committee Bill No. 443

LCO No. 3287

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME STAFFING LEVELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-522 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The commissioner shall adopt regulations, in accordance with
4 chapter 54, concerning the health, safety and welfare of patients in
5 nursing home facilities, classification of violations relating to such
6 facilities, medical staff qualifications, record-keeping, nursing service,
7 dietary service, personnel qualifications and general operational
8 conditions. The regulations shall: (1) Assure that each patient admitted
9 to a nursing home facility is protected by adequate immunization
10 against influenza and pneumococcal disease in accordance with the
11 recommendations of the National Advisory Committee on
12 Immunization Practices, established by the Secretary of Health and
13 Human Services; (2) specify that each patient be protected annually
14 against influenza and be vaccinated against pneumonia in accordance
15 with the recommendations of the National Advisory Committee on
16 Immunization; and (3) provide appropriate exemptions for patients for
17 whom such immunizations are medically contraindicated and for

18 patients who object to such immunization on religious grounds.

19 (b) (1) As used in this subsection, "direct care" means hands-on-care
20 provided to residents of nursing home facilities, including, but not
21 limited to, feeding, bathing, toileting, dressing, lifting and moving
22 such residents, but does not include food preparation, housekeeping or
23 laundry services, except when such services are required to meet the
24 needs of any such resident on an individual situational basis.

25 (2) On and after October 1, 2004, the Department of Public Health
26 shall not issue a license to or renew the license of a nursing home
27 facility unless such facility maintains, in accordance with this
28 subdivision, the direct care provider staffing levels needed to provide
29 continuous twenty-four-hour direct care services to meet the needs of
30 each resident in such facility.

31 (A) For the period from October 1, 2004, to September 30, 2005, each
32 nursing home facility shall maintain direct care provider staffing levels
33 at or above the following levels:

34 (i) During the day shift, one full-time employee for each ten
35 residents;

36 (ii) During the evening shift, one full-time employee for each fifteen
37 residents; and

38 (iii) During the night shift, one full-time employee for each twenty
39 residents.

40 (B) For the period from October 1, 2005, to September 30, 2006, each
41 nursing home facility shall maintain direct care provider staffing levels
42 at or above the following levels:

43 (i) During the day shift, one full-time employee for each seven
44 residents;

45 (ii) During the evening shift, one full-time employee for each twelve

46 residents; and

47 (iii) During the night shift, one full-time employee for each
48 seventeen residents.

49 (C) On and after October 1, 2006, each nursing home facility shall
50 maintain direct care provider staffing levels at or above the following
51 levels:

52 (i) During the day shift, one full-time employee for each five
53 residents;

54 (ii) During the evening shift, one full-time employee for each ten
55 residents; and

56 (iii) During the night shift, one full-time employee for each fifteen
57 residents.

58 (3) Any licensed nursing home facility that fails to comply with the
59 minimum staffing requirements of subdivision (2) of this subsection on
60 any day shall submit a report to the department, identifying the day
61 and the shift during which such noncompliance occurred and
62 specifying the reasons for and circumstances surrounding such
63 noncompliance. The report required by this subdivision shall be
64 submitted on a quarterly basis. If such facility fails to submit the report
65 required by this subdivision or intentionally misrepresents the
66 information contained in any such report, or if the commissioner
67 determines that there is sufficient evidence to support a finding that
68 there exists a pattern of noncompliance by such facility with the
69 minimum staffing requirements of subdivision (2) of this subsection,
70 the commissioner may take action against such facility in accordance
71 with sections 19a-524 to 19a-528, inclusive.

72 [(b)] (c) Nursing home facilities may not charge the family or estate
73 of a deceased self-pay patient beyond the date on which such patient
74 dies. Nursing home facilities shall reimburse the estate of a deceased
75 self-pay patient within sixty days after the death of such patient, for

76 any advance payments made by or on behalf of the patient covering
77 any period beyond the date of death. Interest, in accordance with
78 subsection (a) of section 37-1, on such reimbursement shall begin to
79 accrue from the date of such patient's death.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

Statement of Purpose:

To improve the quality of care for nursing home patients.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. PRAGUE, 19th Dist.; REP. MARTINEZ, 128th Dist.

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