

Connecticut General Assembly – Joint Committee on Human Services
February 26, 2008

TESTIMONY IN SUPPORT OF **H.B. 5072** AN ACT CONCERNING
APPROPRIATIONS TO IMPROVE NURSE STAFFING RATIOS.

On behalf of Connecticut Legal Services, I testify in support of the above bill. By way of background, my name is Steven Kilpatrick. I am an elder law attorney with Connecticut Legal Services (CLS) in Bridgeport and our organization is one of the founding members of Connecticut Citizens' Coalition for Nursing Home Reform (CCCNHR). In turn, CCCNHR is a citizen advocacy group of the National Citizens' Coalition for Nursing Home Reform ("NCCNHR"), and I recently served as an officer of this non-profit organization's Board of Directors, and still currently serve on its Nominating Committee.

I strongly support a significant increase in our State's direct care nursing home staffing laws, which are currently horribly insufficient, especially when compared to the amount of direct care that research studies have shown is minimally required for the frail elderly and disabled nursing home residents. Ten years ago, upon the release of a study on nursing home staffing, NCCNHR called on Congress to support federal minimum staffing ratios that would provide a nursing home resident with a *minimum* of 4.13 hours of direct care per day. In 2001, this 4.13 figure was then validated by a massive study, mandated by Congress, and conducted over the course of many years by the U.S. Department of Health and Human Services ("HHS"). The study -- *Appropriateness of Minimum Nurse Staffing Standards in Nursing Homes* -- reported that a daily minimum of 4.1 hours of total nursing time (RN's, LPN's, and CNA's) is required to avoid common quality of care problems for long-term care residents such as bedsores, weight loss, and loss of bodily functions. Nursing homes that staff below this level may compromise the quality of care, causing costly, dangerous outcomes such as pressure sores, infections, and avoidable hospitalizations. The report also concluded that it takes certified nurse aides (CNA's) a minimum of 2.8 to 3.2 hours per day to provide essential services such as dressing and grooming, exercising, feeding, toileting, changing wet clothes, and repositioning. This HHS report provides overwhelming evidence that there is a direct relationship between nursing staffing levels and quality of care. The CT DPH regulations mandate that residents receive only 1.9 hours of total nursing care daily. Consequently, the question is not whether there needs to be an increase in Connecticut's nursing home staffing laws, the question is *how much* of an increase.

A report conducted by the General Assembly's Legislative Program Review and Investigations Committee, released in 2000, found that nursing homes in Connecticut staff nurses and nurse aides above the Public Health Code level -- at an average of 3.16 total hours per resident per day. However, this amount still falls well below both the minimum HHS 4.1 and NCCNHR 4.13 levels.

Therefore, I urge this committee to support legislation that would increase total nursing home staffing levels to the NCCNHR standard, using consumer-friendly ratios.