



General Assembly

February Session, 2014

Raised Bill No. 5322

LCO No. 976



Referred to Committee on HUMAN SERVICES

Introduced by:
(HS)

AN ACT CONCERNING NURSING HOME FACILITY MINIMUM STAFFING LEVELS.

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

1 Section 1. (NEW) (*Effective July 1, 2014*) (a) As used in this section:
2 (1) "Commissioner" means the Commissioner of Public Health, (2)
3 "department" means the Department of Public Health, (3) "nursing
4 home facility" means a chronic or convalescent nursing home or a rest
5 home with nursing supervision, (4) "nursing staff" means nurses
6 licensed in accordance with chapter 378 of the general statutes and
7 nurse's aides registered in accordance with chapter 378a of the general
8 statutes, and (5) "nursing staff hours" means the number of daily hours
9 nursing staff spend providing direct care to nursing home facility
10 residents and does not include vacation, holiday, sick or break time.

11 (b) On and after October 1, 2014, each nursing home facility shall
12 have sufficient nursing staff to maintain a daily minimum nursing staff
13 hours to resident ratio of (1) not less than two and one-tenth nursing
14 staff hours per resident from 7:00 a.m. to 9:00 p.m., and (2) not less
15 than six-tenths nursing staff hours per resident from 9:00 p.m. to 7:00

16 a.m. Each nursing home facility shall keep a daily record, subject to
17 audit by the commissioner, of the daily nursing staff hours to resident
18 ratio and documented qualifications of nursing staff.

19 (c) In addition to any other remedies authorized by law, the
20 commissioner may assess an administrative penalty of not more than
21 three thousand dollars on any facility which fails to meet the daily
22 minimum nursing staff hours to resident ratio for more than forty-nine
23 per cent of audited days or an administrative penalty of not more than
24 one thousand dollars for any facility which fails to meet said
25 requirement for not less than five per cent and not more than forty-
26 nine per cent of audited days. The commissioner shall issue a notice of
27 intent to assess such administrative penalty by certified mail to a
28 nursing home facility not less than thirty days before assessment. Each
29 nursing home facility shall have an opportunity for a hearing in
30 accordance with the provisions of chapter 54 of the general statutes.

31 (d) The commissioner, in accordance with the provisions of chapter
32 54 of the general statutes, shall adopt or amend regulations to
33 implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	New section

Statement of Purpose:

To ensure sufficient minimum nursing staff levels to ensure the health, safety and well-being of nursing home facility residents.

[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.]