



# House of Representatives

General Assembly

**File No. 30**

January Session, 2019

House Bill No. 7099

*House of Representatives, March 7, 2019*

The Committee on Aging reported through REP. SERRA of the 33rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT INCREASING THE MINIMUM RATIO OF DIRECT CARE STAFF IN NURSING HOMES.***

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

1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section,  
2 (1) "nursing home facility" means a chronic and convalescent nursing  
3 home, and (2) "nursing staff" means registered and licensed practical  
4 nurses licensed pursuant to chapter 378 of the general statutes and  
5 nurse's aides registered pursuant to chapter 378a of the general  
6 statutes.

7 (b) On and after October 1, 2019, each nursing home facility shall  
8 have sufficient nursing staff available on site to maintain a daily  
9 minimum staffing ratio of not less than three direct care nursing staff  
10 hours per resident per day.

11 (c) The Commissioner of Public Health shall adopt or amend  
12 regulations, in accordance with the provisions of chapter 54 of the  
13 general statutes, to implement the provisions of this section. Such

14 regulations shall include, but need not be limited to, (1) the  
15 establishment of a requirement for nursing home facilities to record the  
16 number of nursing staff hours available on site to provide direct care to  
17 residents, and (2) a definition of the term "direct care".

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

**AGE**      *Joint Favorable*

*The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*

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**OFA Fiscal Note****State Impact:** None**Municipal Impact:** None**Explanation**

The bill is not anticipated to result in a fiscal impact to the state associated with the minimum nursing home staffing ratio. Based on available FY 18 cost reports, nursing homes are meeting the staffing ratio under the bill and therefore will not require changes that will impact Medicaid costs. The Department of Public Health also has the ability to meet the requirements of the bill.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis****HB 7099*****AN ACT INCREASING THE MINIMUM RATIO OF DIRECT CARE STAFF IN NURSING HOMES.*****SUMMARY**

Starting October 1, 2019, this bill requires chronic and convalescent nursing homes (CCNH) to maintain a minimum nursing staff ratio of at least three hours of direct care per resident per day. Under the bill, nursing staff include registered and licensed practical nurses and nurse's aides.

Current Department of Public Health (DPH) regulations require CCNHs to maintain aggregated licensed nurse and nurse's aide staffing levels of at least 1.9 hours of direct care per resident per day (see BACKGROUND).

The bill also requires the DPH commissioner to adopt or amend regulations to implement the bill's minimum nursing staff ratio. At a minimum, the regulations must (1) establish requirements for nursing homes to record the number of on-site direct care nursing staff hours available and (2) define the term "direct care."

EFFECTIVE DATE: Upon passage

**BACKGROUND*****Current Minimum Nurse Staffing Standards for Nursing Homes***

DPH licenses nursing homes at two levels of care: (1) CCNHs, which provide skilled nursing care, and (2) rest homes with nursing supervision (RHNS), which provide intermediate care. (Nursing homes generally have been phasing out RHNS beds or converting them to CCNH beds.)

Minimum staffing requirements for CCNHs and RHNS are set by regulation and depend on the time of day as shown in the table below (Conn. Agencies Reg., § 19-13-D8t).

Table 1: Minimum Nurse Staffing Requirements for Nursing Homes

Direct Care Personnel	CCNH		RHNS	
	7 a.m. to 9 p.m.	9 p.m. to 7 a.m.	7 a.m. to 9 p.m.	9 p.m. to 7 a.m.
Licensed Nursing Personnel	0.47 hours per patient (hpp) (28 min.)	0.17 hpp (10 min.)	0.23 hpp (14 min.)	0.08 hpp (5 min.)
Total Nurses and Nurse Aide Personnel	1.40 hpp (1 hr. 24 min.)	0.50 hpp (30 min.)	0.70 hpp (42 min.)	0.17 hpp (10 min.)

**COMMITTEE ACTION**

Aging Committee

Joint Favorable

Yea 11 Nay 0 (02/26/2019)