

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: SB-1079

AN ACT CONCERNING NURSING HOME FACILITY MINIMUM STAFFING

Title: LEVELS.

Vote Date: 3/26/2019

Vote Action: Joint Favorable Substitute

PH Date: 3/19/2019

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

The substitute language for House Bill 1079 clarifies the language in accordance in establishing a minimum staffing level for nursing home services and the requirement of the Department of Social Services to provide payment for adjusted Medicaid rates for nursing home facilities that may experience increased costs.

The language of “daily minimum staffing” ratio would be two and three-tenths hours. The language of “direct care” means hands on care provided to a nursing home facility resident by a registered nurse’s aide. “Licensed nursing personnel” means nurses licensed in accordance with chapter 378 of the general statutes and “Nursing home facility” means a chronic or convalescent nursing home.

RESPONSE FROM ADMINISTRATION/AGENCY:

Kathleen Brennan, Deputy Commissioner, Connecticut Department of Social Services; is concerned with the accuracy and stability of the data that would be used to identify non-compliance of the proposed requirements which would be used to calculate nursing home rate increases to support additional staffing requirements .In addition to the Department’s inability to support this legislation, the need for a well-defined measurement of current staffing levels would be required to accurately estimate the fiscal impact of a change in the minimum staffing levels.

Raul Pino, Commissioner, Connecticut Department of Health; has recommended the Human Services Committee to delete Subsection (d): the requirement of the Department of Public

health to adopt or amend regulations to implement the provisions of the minimum staffing levels. The Department also recommends a revision of this legislation to reflect all requirements within statute, or provide the Department with the ability to create policies and procedures until such time allows this regulation to be adopted.

Mag Morelli, President, Leading Age; is in support of raising the minimum nursing home staffing requirements and the provision that would require an adjustment of Medicaid rates. However, they do have some concerns regarding the ability to recruit and retain an aging services workforce that can meet the needs and demands of the aging population.

NATURE AND SOURCES OF SUPPORT:

Matthew V. Barrett, President/CEO, Connecticut Association of Health Care Facilities /Connecticut Center for Assisted Living; is in support of this legislation in its context to increase the existing minimum staffing requirements. He also recommends that any new reporting requirements be consistent with existing federal CMS Payroll Based Journal requirements in the interest of efficiency and to assure that scarce nursing home resources remain focused on patient care, rather than additional administrative reporting.

Joelen J. Gates, Attorney, Connecticut Legal Services; affirms that higher staffing levels lead to higher quality care for elderly residents. He explains that the most common complaint he receives from residents and their families is that there is not enough staff available for assistance. He strongly emphasizes that this legislation will benefit residents by having more staff to meet their daily needs.

NATURE AND SOURCES OF OPPOSITION:

No opposing testimony was submitted, with exceptions of the Department of Social Services and the Department of Public Health.

Reported by: Noemi Hammonds

Date: March 28, 2019