

Nursing Home Staffing Requirements

By: Mary Fitzpatrick, Associate Analyst
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Issue

This report describes Connecticut's requirements for nursing home staffing, recent legislation related to those requirements, and past bills that would have changed them if passed.

Summary

State regulations establish minimum nurse staffing requirements for two levels of nursing home care: chronic and convalescent nursing homes (CCNH) and rest homes with nursing supervision (RHNS). They generally require 1.9 hours of direct nursing staff per resident per day for CCNHs and 52 minutes of direct nursing staff per resident per day for RHNSs.

By law, nursing homes must calculate and publicly post, on a daily basis, information related to the number of advanced practice registered nurses (APRNs), registered nurses, licensed practical nurses, and nurse's aides responsible for providing direct care to residents. The Department of Public Health (DPH) may take disciplinary action or issue a citation against a nursing home for noncompliance with the minimum direct care staffing requirements.

In the last 10 years, at least three bills have sought to increase the minimum staffing ratio. DPH has not amended the regulations establishing the ratios in recent years. A 2000 study from the former Office of Program Review and Investigations provides more information on background and recommendations on this topic at that time.

Current Requirements

State regulations establish minimum nurse staffing requirements. The requirements vary depending on the level of care the nursing home provides. DPH licenses nursing homes at two levels of care: (1) CCNHs, which are skilled nursing facilities, and (2) RHNSs, which are intermediate care facilities. (Nursing homes generally have been phasing out RHNS beds or concerting them to CCNH beds.)

DPH regulations require nursing homes to employ sufficient nurses and nurse’s aides to provide appropriate patient care 24 hours per day, seven days per week. Table 1 shows the minimum nurse staffing requirements for each type of facility and the time of day ([Conn. Agency Regs., § 19-13-D8t\(m\)](#)). These ratios have been in place for over 40 years.

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.)
	Must have one registered nurse (RN) on duty and one licensed nurse on each patient occupied floor at all times		Must have one nurse’s aide on each patient occupied floor and intercom communications with a licensed nurse at all times	

In meeting the above staffing requirements, nursing homes cannot include the (1) nursing director, if the home has more than 60 beds, or (2) the assistant nursing director, if the home has more than 120 beds ([Conn. Agency Regs., § 19-13-D8t\(m\)](#)).

Recently Enacted Legislation

Legislation passed in 2019 requires nursing homes to calculate and publicly post, on a daily basis, information related to the number of APRNs, registered nurses, licensed practical nurses, and nurse’s aides responsible for providing direct care to residents. It also authorizes DPH to take disciplinary action or issue a citation against a nursing home that substantially fails to comply with the minimum direct care staffing requirements (shown above).

Additionally, the law expands whistleblower protections for nursing home and residential care home employees, residents, and their legal representatives who file complaints or testify in administrative proceedings against a home, including about staffing levels ([PA 19-89](#), effective October 1, 2019).

Past Proposals

Table 2 describes bills that, if passed, would have affected minimum staffing or reporting requirements. The table summarizes the bills' provisions and describes the last action taken by the legislature.

Table 2: Legislation on Nursing Home Staffing and Reporting

<i>Bill</i>	<i>Description</i>	<i>Last Action</i>
sHB 1079 (2019)	<ul style="list-style-type: none"> Established a daily minimum staffing ratio for CCNHs of (1) 2.3 hours of direct care provided by registered nurse's aides and (2) 0.7 hours of medical care provided by licensed nursing personnel Established posting, reporting, and random audit requirements Required the Department of Social Services (DSS) to adjust Medicaid rates, within available appropriations, to pay for associated costs 	The Human Services Committee favorably reported the bill to the Senate, which took no action
HB 7099 (2019)	<ul style="list-style-type: none"> Required CCNHs to maintain nursing home staffing ratios of at least 3 hours of daily direct care per resident 	The Aging Committee favorably reported the bill to the House, which referred the bill to the Public Health Committee, which took no action
SB 278 (2016)	<ul style="list-style-type: none"> Required CCNHs to maintain nursing home staffing ratios of at least 2.3 hours of daily direct care per resident Required DSS to adjust Medicaid rates to pay for associated costs Established and phased in minimum social worker staffing requirements 	The Human Services Committee held a public hearing on the bill
SB 103 (2010)	<ul style="list-style-type: none"> Added a provision to the nursing home patients' bill of rights requiring patients be fully informed of the staff-to-patient ratio for all units on all shifts 	The Aging Committee held a public hearing and referred the bill to the Public Health Committee, which took no action

Regulatory Proposals

As current requirements are established in regulations, DPH could change the requirements by amending their regulations, subject to review by the Regulations Review Committee. It appears that regulations on this topic have not come before the committee in recent years.

[A 2000 report](#) from the former Office of Program Review and Investigations described minimum staffing requirements for nursing homes, how actual staffing levels related to minimum standards, and how DPH monitored the adequacy of nursing home staff. Among other things, it described draft regulations from DPH, never adopted, that would have increased ratios from 1.9 hours of care per day to 2.48 hours of care per day for CCNHs. The report recommended increasing minimum ratios for nursing facilities (CCNH and RHNS) to two aide hours per resident day and 0.75 licensed nurse hours per resident day, of which 0.2 must be provided by a registered nurse.

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