
OLR Bill Analysis

sSB 1057

AN ACT CONCERNING MINIMUM STAFFING LEVELS IN NURSING HOMES.

SUMMARY

This bill requires the Department of Public Health (DPH), by January 1, 2022, to adopt regulations modifying minimum staffing levels in nursing homes to require at least 4.10 hours of direct care per resident per day, including 0.75 hours of care by a registered nurse, 0.54 hours of care by a licensed practical nurse, and 2.81 hours of care by a certified nurse's assistant.

Current law requires nursing homes to maintain aggregate 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 do the following:

1. review the current regulatory definition of "direct care" and consider redefining the term for minimum staffing level requirements;
2. review and implement best practices for establishing and maintaining minimum staffing levels at nursing homes;
3. encourage nursing homes to adopt payment incentives for staff to work in a single nursing home; and
4. prohibit anyone subject to a DPH consent order for violations of health and safety regulations related to nursing homes from working in a nursing home in any capacity.

The bill requires the DPH commissioner to take these actions in consultation with the Department of Social Services (DSS) commissioner. It also requires the DSS commissioner, in consultation

with the DPH commissioner, to establish a minimum percentage of Medicaid reimbursement to nursing homes for providing direct care to nursing home residents.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

Current Minimum Nurse Staffing Standards for Nursing Homes

DPH licenses nursing homes at two levels of care: (1) chronic and convalescent nursing homes (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 Regs., § 19-13-D8t(m)).

**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 minutes)	0.08 hpp (5 min.)
Total Nurses and Nurse Aide Personnel	1.4 hpp (1 hr. 24 min.)	0.50 hpp (30 min.)	0.70 hpp (42 min.)	0.17 hpp (10 min.)

Related Bill

sSB 1030, favorably reported by the Public Health Committee,

establishes the same minimum staffing requirements, among other provisions related to long-term care facilities.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 13 Nay 6 (04/01/2021)