

**NURSING HOME STAFFING STANDARDS
IN STATE STATUTES AND REGULATIONS**

By

Charlene Harrington, Ph.D., R.N., Professor Emeritus

Department of Social and Behavioral Sciences

University of California San Francisco

3333 California Street Suite 455

San Francisco, CA 94118

Charlene.Harrington@ucsf.edu

December 2010

We want to acknowledge the assistance of Hyang Yuol Lee, Ph.D., Theodore Tsoukalas, Ph.D. and Caroline Stephens, M.S., R.N. in collecting and preparing the data for this report which updated the report in January 2008.

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
<p>FEDERAL STAFFING: 1 RN 8 consecutive hrs/7 days/wk & 1 RN/LVN for 2 remaining shifts. Must have 1 RN who is full-time DON (5 days/wk); if fewer than 60 residents, DON may also be Charge Nurse. (For 100 residents, LN .30 hours per resident day (hprd) would be required.)</p>				<p>SC= State Code SAL = State Administrative Law (Rules and Regulations) SDP = State Departmental Written Policy</p>
AK	<p>SUFFICIENT STAFF: to meet the needs of the residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) For 1-60 occupied beds: 1 RN Day 7days/wk and 1 RN Eve 5 d/wk and 1 LPN all shifts when RN not present For 60+ occupied beds: 2 RNs Day 7d/wk and 1 RN Eve & Night 7 days/week</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .32)</p> <p>LN .32</p>	<p>SAL: AK Administrative Code <i>Title 7 Health and Social Services, Pt. 1, Ch. 12, Art. 5 Nursing Facilities, Sec. 275, 7 AAC 12.275. Eff. 11/19/83. Am. 5/28/92.</i></p> <p>http://www.legis.state.ak.us/basis/folioiproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/aac/query=[JUMP:7+aac+12!2E275']/doc/{@1}?firsthit</p>	
AL	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental and psychosocial well-being of each residents as determined by resident assessments and individual care plans.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hrs/7ds/wk For 1-60 residents: DON may be charge nurse</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .08)</p> <p>LN .14</p>	<p>SAL: AL Administrative Code 420-5-10-11 "Nursing Services" Eff. 8-23-96</p> <p>http://www.alabamaadministrativecode.state.al.us/docs/hlth/420-5-10.pdf</p>	

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
AR	<p>SUFFICIENT STAFF: to meet the needs of the residents for nursing services.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time Days; if has other responsibilities, add 1 more RN as Asst. DON to equal one FTE 1 RN or LPN Charge Nurse for each shift. 1-70 residents DON may be Charge Nurse In multi-story homes, staff each floor unit 1:40 LN ratio Days and Evenings 1:80 LN ratio Nights</p> <p>DIRECT CARE STAFF 1:6 ratio Days (total licensed or certified) 1:9 Evenings 1:14 Nights</p>	<p>(RN .06)</p> <p>LN .56</p> <p>DC 2.8</p> <p>Total 3.36</p>	<p>SDP: Rules and Regulations for Nursing Homes, Office of Long Term Care, State of Arkansas, Sect. 510-511.2, 511.4, 512.1, 512.4, 513.2; Sect. 520</p> <p>SDP: Rules and Regulations for Nursing Homes, Office of Long Term Care, State of Arkansas, Sect. 520.1.1, 520.3.1.1-520.3.1.3 Eff. 10-1-03.</p> <p>http://www.sos.arkansas.gov/elections/elections_pdfs/register/nov_05/016.06.05-095F-8007.pdf</p>	<p>Legislative Updates: http://www.arkleg.state.ar.us/</p>
AZ	<p>SUFFICIENT STAFF: to meet the needs of residents 24 hours a day.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time; For 1-60 average daily census,: DON may provide direct care on regular basis</p> <p>DIRECT CARE STAFF 1 nurse for direct care to not more than 64 residents at all times.</p>	<p>(RN .06)</p> <p>DC .38</p> <p>Total .44</p>	<p>SAL: AZ Administrative Code Title 9, Ch. 10, Sec. 906. Eff. 2-17-95. (Supp. 95-1). Section repealed; new Section made by final rulemaking at 9 A.A.R. 338, eff.3-16-2003 (Supp.03-1).</p> <p>http://www.azsos.gov/PUBLIC_SERVICES/Title_09/9-10.htm</p>	<p>SAL. Chapter 28 is known as AHCCCS, the Arizona Health Care Cost Containment System--Ariz. Long Term Care System. Expressly incorporates Medicaid by reference in 42 CFR 442 and 42 CFR 483 http://www.azsos.gov/public_services/Title_09/9-28.htm</p> <p>OnLine Updates: http://www.azsos.gov/aar/contents.htm Arizona Administrative Register.</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
CA	<p><u>SUFFICIENT STAFF:</u> to meet the needs of residents.</p> <p><u>LICENSED STAFF</u> (RN, LPN/LVN) For 1-59 licensed beds: 1 RN/LVN 24 hours/day For 60-99 licensed beds: 1 DON RN Day full-time (may not be charge nurse) and 1 RN/LVN 24 hours/day For 100+ beds: 1 DON RN (may not be charge nurse) and 1 RN 24 hours/day</p> <p><u>DIRECT CARE STAFF</u> 3.2 hprd Do not double hours of RNs/LPNs and exclude hours of DON</p>	<p>(RN .30)</p> <p>LN .30</p> <p>DC 3.20</p> <p>Total 3.5</p>	<p>SC: CA Health and Safety Code, Sec. 1276.5 (as amended by AB 1107, 1999) Eff. 1-1-00. http://law.onecle.com/california/health/1276.5.html</p> <p>SC: CA Welfare and Institutions Code Sec. 14110.7. Am. 1999. Eff. 1-1-00. http://www.lawlink.com/research/Level2/144019</p> <p>http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome Go to List of CCR Titles, Click Title 22. Div 5.</p> <p>SC: CA Health and Safety Code. Div. 2, Ch 2., Art. 3 Sec. 1276.65. Amend 2002. Eff. 1-1-03. Required state to establish staff to work ratios for direct caregivers.</p>	<p>SAL: Minimum Staff-patient Ratios (filed on 1-22-2009) 1:5 Day, 1:8 Evening, 1:13 Night Not implemented until funds are appropriated.</p> <p>OnLine Updates: Legislation/Bills: http://www.leginfo.ca.gov/bilinfo.html</p> <p>SAL: CA Code of Regulations Title 22 Div. 5 Ch. 3, Sec. 72329.1. Presents the regulations.</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
CO	<p>SUFFICIENT STAFF: to provide prompt assistance to persons needing or potentially needing assistance and considering individual needs.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DoN RN full-time 40 hrs/wk included in 1 RN 24 hours/7days/week and 1 LN each care unit at all times</p> <p>DIRECT CARE STAFF For 1-60 residents: 2.0 hprd For 60+ residents: 2.0 excluding the DON, staff development coordinator, and other supervisory personnel.</p>	(RN .24) LN .48 DC 2.0 Total 2.48	<p>SAL: Code of CO Regulations, Department of Public Health and Environment Regulations, Health Facilities Division – 1011, Ch. V, Long Term Care Facilities, Pt. 7, Nursing Services, Sec. 7.2 & 7.3. Eff. 7-1-1988.</p> <p>http://www.cdphe.state.co.us/regulations/healthfacilities/10110105longtermfacilities.pdf</p>	<p>SAL: Intermediate Care Facilities require: 1 RN/LPN Day Shift 7days/week. If DoN is LPN, then 1 RN consultant at least 4 hrs/wk.</p> <p>Medicaid Regulations: CO Department of Health Care Policy and Financing, Staff Manual, Vol. 8 - Medical Assistance, Secs. 8.408(3) and 8.409.24. http://www.sos.state.co.us/</p> <p>OnLine Updates: Dept. of Health Care Policy and Financing homepage: http://www.chcpf.state.co.us/ and Dept. of Public Health and Environment homepage: http://www.cdphe.state.co.us/</p>
CT	<p>SUFFICIENT STAFF: to provide appropriate care 24 hours 7 days/week.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DoN RN full-time; if more than 120 beds, 1 Asst. DoN 1 RN 24 hours/7 days/week and 1 RN/LPN (each floor) 24 hrs/7days included in .47 LN hprd Day/ Evening (7 am - 9 pm) .17 LN hprd Evening/ Night (9 pm - 7 am) For 61-120 beds: exclude DON; for 121+ beds, exclude Asst. DON</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 1.40 total nursing & NA hprd (7am-9pm) .50 total & NA hprd (9pm-7am)</p>	(RN .30) LN .70 NA 1.90 Total 2.60	<p>SAL: CT Public Health Code 2000 Sec. 19-13-D8t (m)(1)-(8). (page 65- 80) Eff. 05/2001 Enabled by <i>CT General Statutes</i> Code of Public Health Sec, 19a-36 (1997).</p> <p>Chronic and convalescent nursing homes (09/01/2009) http://www.ct.gov/dph/lib/dph/agency_regulations/sections/pdfs/title_19_health_and_safety/phc/chapter_iv/19-28_hospitals....pdf</p>	<p>SAL: Rest Home with Nursing Supervision (ICF): 1 NA 24 hours/7 days/week included in Licensed Staff: Day [7 am to 9 pm] .23 hprd; Night [9 pm to 7 am] .08 hprd. For 61-120 beds, exclude DON; for 121+ beds, exclude Asst. DON. 1 Nurse Assistant each floor 24 hours/7 days and Day -- .70 hprd; Night -- .17 hprd. For 61-120 beds, exclude DON; for 121+ beds, exclude Asst. DON.</p> <p>OnLine Updates: Public Health Code http://www.dph.state.ct.us/phc/phc.asp http://www.ct.gov/dph/lib/dph/agency_regulations/dph_regulations-9.1.2009.pdf</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
DC	<p>SUFFICIENT STAFF: to meet the nursing needs of all patients 24-hour licensed nursing services 7days a week.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1DON RN full-time and 1 Nursing Supervisor (RN) at the facility 24hrs/7d/wk DON may serve as supervisor while on regular duty if less that 30 beds 1 RN/LPN Charge Nurse on each unit 24hrs/d If charge nurse is LPN, then must have access to an RN for consultation</p> <p><u>RN/LPN</u> (planning, coordination, supervision at unit level) 1:35 ratio (0.23 hprd) Days 1:45 ratio (0.18 hprd) Evenings 1:50 ratio (0.16) Nights</p> <p>DIRECT CARE STAFF (RN, LPN, or CNA) 3.5 hprd minimum 1:5 (1.6hprd) Days 1:10 (0.8hprd) Evenings 1:15 (0.53hprd) Nights Minimum of 2 staff per unit per shift</p>	<p>(RN .30)</p> <p>LN .57</p> <p>DC: 2.93</p> <p>Total 3.50</p>	<p>SAL: DC Municipal Regulations Title 22 Public Health and Medicine Ch. 32 Skilled Care Facilities, Sec. 3208 (Nursing Services), 3209 (Nursing Services Supervision), 3210 (Licensed Nursing Coverage), 3211 (Nursing Personnel), (10-12-01). Final Rule 49 DCR 473 (1-18-02); Amended 49 DCR 6824 (7-19-02); Amended 52 DCR 3608 (4-8-2005).</p> <p>http://doh.dc.gov/doh/lib/doh/services/administration_offices/hra/hcfd/pdf/nursing_facilities.pdf</p>	<p>OnLine Updates: DC Register: http://www.abfa.com/dcdocs/dccontents.htm</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
DE	<p>SUFFICIENT STAFF: to meet the needs of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 Supervisory Nurse (DON) RN full-time 8hrs/7d/wk 1 RN on duty each shift, 7 days a week 1:15 LN ratio Days 1:23 LN ratio Evenings 1:40 LN Nights</p> <p>DIRECT CARE STAFF 3.28 hours of direct nursing care 1:8 DC ratio Days 1:10 DC ratio Evenings 1:20 DC ratio Nights</p>	<p>(RN .32)</p> <p>LN 1.08</p> <p>DC 2.20</p> <p>Total 3.28</p>	<p>SAL: Title 16 Health & Safety Regulatory Provisions Concerning Public Health, Ch. 11 Nursing Facilities & Similar Facilities, Subchapter VII. Minimum Staffing Levels for Residential Health Facilities. Eff. 12/1/01</p> <p>http://delcode.delaware.gov/title16/c011/sc07/index.shtml</p> <p>May 1, 2003 Regs were not implemented because of funding: 1:15 LN ratio Days; 1:20 LN ratio Evenings; 1:30 LN Nights; 3.67 hours of direct care including: 1:7 DC ratio Days; 1:10 DC ratio Evenings; 1:15 DC ratio Nights.</p>	<p>OnLine Updates: http://www.legis.delaware.gov</p> <p>Legislation: General Assembly 144, SB 175--An Act to amend Title 16 of the Delaware Code relating to nursing facilities and other facilities. This proposed legislation did not pass in 2007, http://www.legis.delaware.gov/LIS/LIS144.nsf/vwLegislation/SB+175?Opendocument</p>
FL	<p>SUFFICIENT STAFF: to maintain the highest practicable physical, mental, and psychological well-being of each resident</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time. If DON has other responsibilities, add 1 full-time RN as Asst. DON For 121+ residents, add 1 Asst. DON RN 1 RN/LPN each shift included in: 1.0 LN hprd (24 hour average) Never below 1:40 LN ratio</p> <p>DIRECT CARE/NURSE ASSISTANT STAFF 2.9 DC hprd (24 hour average) minimum weekly average per day 1:20 DC ratio</p>	<p>(RN .06)</p> <p>LN 1.0</p> <p>DC 2.9</p> <p>Total 3.9</p>	<p>SAL: FL Administrative Code Ch. 59A-4 "Minimum Standards for Nursing Homes" Sec. 59A-4.108(4). Eff. 4-1-82. Am. 4-18-94. Eff. 1-02</p> <p>https://www.flrules.org/gateway/ruleNo.asp?id=59A-4.108</p> <p>SC: 2007 Florida Statutes Chapter 400 Nursing Homes & Related Health Care Facilities 400.23 (3)(a)1 Eff. 1-1-07</p> <p>http://www.flsenate.gov/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=400.23&URL=CH0400/Sec23.HTM</p>	<p>OnLine Updates: Http://www.leg.state.fl.us/session/index.cfm/?/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
GA	<p>SUFFICIENT STAFF: to provide care for each patient according to his needs.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time Day; DON may direct other nearby nursing homes if those homes have 1 RN as full-time Asst. DON 1 RN/LPN in each 8-hr shift 24h/7d included in: RN/LPN to total nursing personnel ratio: 1:7</p> <p>DIRECT CARE STAFF 2.0 hprd DC</p>	<p>(RN .06)</p> <p>LN .30</p> <p>DC 2.0</p> <p>Total 2.3</p>	<p>SAL: GA Rules & Regulations, Rules of the Dept. of Human Resources, Ch. 290 (Public Health), Ch. 290-5-8-.04 Nursing Service. Eff. 2004. http://rules.sos.state.ga.us/docs/290/5/8/04.pdf</p> <p>Ch. 290-5-9 Intermediate Care Homes (ICF). http://rules.sos.state.ga.us/docs/290/5/9/04.pdf</p>	<p>OnLine Updates: http://www.legis.ga.gov/cgi-bin/htsearch</p>
HI	<p>SUFFICIENT STAFF: to meet the needs of the patients.</p> <p>LICENSED STAFF (RN, LPN/ LVN) 1 RN full-time 24 hours/7 days/week</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN. 24)</p> <p>LN .24</p>	<p>SAL: HI Administrative Rules Title II, Department of Health, Ch. 94, Skilled Nursing, Int. Care Facilities, Sec. 23 Eff. 5-3-85. http://oeqc.doh.hawaii.gov/sites/har/AdmRules1/11-94.pdf</p>	<p>SAL: Intermediate Care Facility: 1 RN full-time Day and 1 RN/LPN whenever medications are administered.</p> <p>OnLine Updates: http://www.hawaii.gov. <i>Administrative Rules:</i></p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
IA	<p>SUFFICIENT STAFF: to meet the needs of individual residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 RN/LPN Health Service Supervisor For 1-74 beds: if supervisor is LPN, RN must work 4 hrs/wk when LPN is on duty. For 75+ beds: supervisor must be RN and add 1 RN/LPN 24 hrs/7 days/week</p> <p>DIRECT CARE STAFF 2.0 hprd (computed on 7-day week) 20% RN/LPNs including time of Supervisor 2 people on duty at all times.</p>	<p>(RN .08)</p> <p>LN .32</p> <p>DC 2.0</p> <p>Total 2.32</p>	<p>SAL: IA Administrative Code, Inspections and Appeals [481], Chapter 58 Nursing Facilities Sec. 58.11(2) Nursing Supervision and Staffing. Eff. 7-19-91.</p> <p>http://www.legis.state.ia.us/asp/ACODocs/DOCS/9-22-2010.481.58.11.pdf</p>	<p>OnLine Updates: For pending rules and regs changes, see <i>IA Administrative Code:</i> http://www.legis.state.ia.us/IAC.html</p> <p>Legislation updates: http://www.legis.state.ia.us/Legislation.html. Daily updates.</p>
ID	<p>SUFFICIENT STAFF: to meet the total needs of residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time (5d/wk) Day. If DON occupied with administration, then 1 RN Asst. DON. 1 Supervising Nurse, RN/LPN. For 1-59 residents: DON may be Supervisory Nurse For 1-59 residents: 1 RN 8 hrs Days & 1 LPN other 2 shifts 7days/wk For 60-89 residents: 1 RN Days & Evenings & 1 LPN Nights 7 days/wk For 90+ residents: 1 RN 24hrs/7d/wk</p> <p>DIRECT CARE STAFF 2.4 hprd. For 1-59 residents: exclude DON but include supervisory nurse on each shift. For 60+ residents: exclude DON and supervisory nurse.</p>	<p>(RN .30)</p> <p>LN .30</p> <p>DC 2.4</p> <p>Total 2.70</p>	<p>SAL: ID Administrative Code, 16.03.02.200.02 Eff. 1-1-88; 11-20-89, 12-31-91, and 7-1-93.</p> <p>http://adm.idaho.gov/adminrules/rules/idapa16/0302.pdf (pg 48-50)</p>	<p>SAL: Intermediate Care Facility: 1 DON RN full-time (5d/wk) Day And 1 RN/LPN on duty as Charge Nurse 24hrs /7d/wk. If DON is LPN, RN must be on call. Direct care 1.8 hprd.</p> <p>OnLine Updates: For notices of pending rules and regs, and for proposed reg. tracking, see <i>ID Administrative Bulletin</i> and Master Cumulative Index of All Rule Making: http://adm.idaho.gov/adminrules/bulletin/mstrtoc.htm</p> <p>For ID State Statutes, legislation and bill tracking: http://www3.state.id.us/legislat/legtrack.html.</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
IL	<p>SUFFICIENT STAFF: To meet the needs of the residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time or minimum 36 hours/week (at least 16 hrs between 7am and 7pm) For 1-49 beds, DON may provide direct care and be included in direct care ratios For 100+, 1 Asst. DON RN full-time. 1 licensed nurse (RN/LPN) charge nurse on remaining non-DON or Asst DON shifts. 1 RN on shift (8 consecutive hrs) 7days/wk included in 1 RN/LPN 24 hrs/7d/wk on each floor</p> <p>DIRECT CARE STAFF 2.5 hprd with Day-40%, Eve-25%, and Night-15%. Include 20% LN time; exclude DON and 1 person on duty 24h/7d in each unit</p> <p>Direct care staff includes: RNs, LPNs, CNAs, Psych aides, Rehab/Therapy aides, Psych coordinators, Asst. DONs, 50% of DON, 30% of Social Service Director 2.5 hprd Eff. 7-1-10 2.7 hprd Eff. 1-1-11 3.0 hprd Eff. 1-1-12 3.4 hprd Eff. 1-1-13 3.8 hprd Eff. 1-1-14</p>	<p>(RN .18) LN .58 DC 2.5 Total 3.08</p>	<p>SC: New Statute: IL Statute 210 Health Facilities Art. III- Licensing, Enforcement, Violations, Penalties and Remedies. P.A. 96-1372, Eff. 7-29-10. http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=1225&ChapterID=21</p> <p>Previous SAL: IL Administrative Code Title 77 Public Health, Ch. 1, Dept. of Public Health, Subch. C, Long-Term Care Facilities, Sec. 300-1230, Part. 300, and 1240 Skilled Nursing and Intermediate Care Facilities Code Eff. 3-24-89; Am at 16 <i>Ill. Reg.</i> 17089, Eff. 11-3-92. (Section 300.1230 <i>Staffing</i>: http://www.ilga.gov/commission/jcar/admincode/077/077003000F12300R.html;</p>	<p>SC: New Statute- Intermediate Care Each resident shall be provided at least 1.7 hprd Eff. 7-1-10 1.9 hprd Eff. 1-1-11 2.1 hprd Eff. 1-1-12 2.3 hprd Eff. 1-1-13 2.5 hprd Eff. 1-1-14</p> <p>Online Information: http://www.ilga.gov/commission/jcar/admincode/077/07700300sections.html</p> <p>Online Updates: IL Dept. Public Health Administrative Rules Updates: http://www.idph.state.il.us/rulesregs/rules-index.htm</p> <p>IL General Assembly: http://www.ilga.gov/legislation/default.asp</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
IN	<p>SUFFICIENT STAFF: to maintain highest practicable physical, mental, and psychosocial well-being of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hours/7days/wk and 1 LPN Charge Nurse each shift For 1-60 resident: DON may be Charge Nurse included in: RN/LPN RATIO 0.5 LPN hprd to resident ratio (averaged over 1 week, excluding DON)</p> <p>DIRECT CARE STAFF No minimum requirement</p>	(RN .08) LN .56	<p>SAL: IN Administrative Code Title 410, Art. 16.2, Sec. 3.1-17 Filed 5-2-84, most recent revision eff. 4-1-97. Readopted filed 7-11-2001. Readopted filed May 22, 2007.</p> <p>Code for health facilities-Nursing Services, http://www.in.gov/legislative/iac/T04100/A00162.PDF?</p>	<p>SAL: SNF/NFs are called Health Facilities</p> <p>OnLine Updates: See General Assembly and State agencies at IN Homepage: http://www.in.gov/apps/lisa/session/billwatch/billinfo</p> <p>IN Administrative Code: http://www.in.gov/legislative/iac/</p> <p>IN Administrative Code Title 410 http://www.in.gov/legislative/iac/iac_title?iact=410</p>
KS	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental and psychosocial well-being.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN at least 8 consecutive hours/day 7d/wk and 1 RN/LPN per nursing unit on Day Shift included in 1 RN/LPN 24 hours/7days/wk If 1 LPN on Day shift, 1 RN must be on call</p> <p>DIRECT CARE STAFF 2.0 hprd weekly average (with a 1.85 hprd minimum 24-hour average) For 60+ beds: exclude DON 1:30 minimum ratio and at least 2 nursing personnel on duty at all times</p>	(RN .08) LN .48 DC 2.0 Total 2.06	<p>SAL: KS Administrative Regulations, Nursing Facility Regulations 28-39-154 Nursing Services (7) (A). Eff. 11-1-93. Am. 2-21-97. (pg375-376) http://www.kssos.org/pubs/KAR/2006/2A004_28-Department%20of%20Health%20and%20Environment%20Articles%2036%20through%2040,%202006%20KAR%20Vol%202A.pdf</p>	<p>OnLine Updates: Pending legislation, bill tracking, and legislative texts: http://www.kslegislature.org/legsvr-portal/index.do.</p> <p>The Kansas Register and KS Administrative Regulations: http://www.kslegislature.org/legsvr-kars/search.do</p> <p>http://www.kslegislature.org/legsvr-kars/search.do;jsessionid=5ED9B30DE17F68F1378912F440AD3FF4</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
KY	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental & psychosocial well-being of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time Day; may serve as charge nurse with occupancy less than 60 residents; If DON is facility administrator, add 1 Asst. DON RN Fulltime Days) 1 Supervising Nurse RN FT (DON or Asst. DON may be Supervising Nurse) 1 RN at least 8 hours/day, 7 days/wk 1 RN/LPN Charge Nurse 24 hrs/7days/wk; if LPN Charge Nurse, RN must be on call.</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .14)</p> <p>LN .38</p>	<p>SAL: KY Revised Statutes 216B.042 and 216B.105 authorize regulation by Cabinet for Health and Family Services. <i>KY Cabinet for Health and Family Services, Long-Term Care Regulations and Statutes:</i> 902.020.026 sec 3(9)(d) 1-5. Eff. 7-2-96.</p> <p>http://www.lrc.state.ky.us/kar/902/020/300.htm (look for Sec. 9 Nursing Services)</p> <p>http://www.lrc.ky.gov/kar/902/020/026.htm</p>	<p>Kentucky Administrative Regulations: Online: http://www.lrc.ky.gov/kar/titles.htm</p> <p>OnLine Updates: KY Law, http://www.lrc.ky.gov/Law.htm</p> <p>Legislation: http://www.lrc.ky.gov/record/08RS/prefiled.htm.</p>
LA	<p>SUFFICIENT STAFF: to provide nursing care to all residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time Day and (If DON has regular administrative responsibility add 1 Asst. DON RN full-time) For 1-60 average daily occupancy: DON may be charge nurse 1 RN/LPN Charge Nurse for each unit 24hrs/7days</p> <p>DIRECT CARE STAFF 1.5 hprd</p>	<p>(RN .06)</p> <p>LN .30</p> <p>DC 1.5</p> <p>Total 1.8</p>	<p>SDP: LA Department of Health and Hospitals, Bureau of Health Service Financing, Louisiana Minimum LAC 48:I.Chapters 97, 98, and 99. Licensure Standards Secs. 9811 and 9813. Promulgated: January 1998.</p> <p>http://www.dhh.louisiana.gov/offices/publications/pubs-112/NH_Minimum_licensure_01201998.pdf</p>	<p>OnLine Updates: State law portal for codified laws by text or number: http://www.state.la.us/</p> <p>LA Administrative Code: http://doa.louisiana.gov/osr/lac/lacsublist.htm</p> <p>LA Register: http://doa.louisiana.gov/osr/reg/register.htm</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
MA	<p>SUFFICIENT STAFF: to meet the needs of residents and assure that measures, treatments and other activities and services are carried out, recorded, & reviewed.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time (40 hours) Day and In multi unit facilities: 1 RN FT Day Supervisor for up to two (2) units in the same facility. 1 RN/LPN Charge Nurse 24 hrs/7da/wk per unit 0.6 licensed nurses for Level I and II facilities</p> <p>DIRECT CARE STAFF 2.6 hprd including 0.6 licensed nurses (2.0 ancillary nursing personnel) - Level I 2.0 hprd including 0.6 licensed nurses (1.4 ancillary nursing personnel) -- Level II No more than 12 hrs/day or 48 hrs/wk regularly.</p>	(RN .06) LN .60 DC 2.6 Total 3.20	<p>SAL: Code of MA Regulations Dept. Public Health 150.007 "Nursing Services" Eff. 4-1-1994. Licensing of Long-Term Care Facilities (Updated 12/6/2005): http://www.mass.gov/Eeohhs2/doc/s/dph/regs/105cmr150.pdf</p>	<p>SAL: SNF and NF are equivalent to MA Levels I and II and ICF to Level III. For Level III, multi unit facilities must have 1 RN FT Day Supervisor and 1 RN/LPN Charge Nurse on Day & Eve 7d/wk and 1 Nurse's Aide on Night Shift. For Level III, direct care of 1.4 hprd with 0.4 licensed nurses.</p> <p>OnLine Updates: MA General Court (Legislature): http://www.mass.gov/legis/</p> <p>MA Dept. of Public Health: http://www.mass.gov/dph/msearch.htm</p>
MD	<p>SUFFICIENT STAFF: to provide appropriate bedside care to serve each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in RNs to residents (only bedside care may be counted): 2-99 residents: 1 RN full-time 100-199: 2 RNs full-time 200-299: 3 RNs full-time 300-399: 4 RNs full-time 1 LN on duty at all times</p> <p>DIRECT CARE STAFF 2.0 hprd 7 days/week (including LNs and supportive personnel and 50% ward clerk's time and only the documented bedside hours of DON 1: 25 ratio at all times</p>	(RN .16) LN .38 DC 2.0 Total 2.06	<p>SAL: Code of MD Regulations 10.07.02.12 Eff. 9-97. http://www.dsd.state.md.us/comar/comarhtml/10/10.07.02.12.htm</p> <p>SAL: NFs are called comprehensive care facilities. Extended care facilities require 1 RN 24hrs/7d/wk & additional LNs & supportive staff" to meet the needs. Distinct Part extended care facilities: in multi-level facilities, requires 1 DON RN and 1 RN in charge at all times & additional LNs & supportive staff to meet the needs of residents.</p>	<p>OnLine Updates: The bi-weekly MD Register http://www.dsd.state.md.us/MDRegister/mdregister.aspx</p> <p>Code of Maryland Regulations: http://www.sailor.lib.md.us/MD_topics/law_cod.html</p> <p>Legislation: http://mlis.state.md.us/#bill AND by subject: http://mlis.state.md.us/#indx</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
ME	<p>SUFFICIENT STAFF: to meet the needs of residents as determined by their levels of care..</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hrs, 7 d/wk on Days 1 RN/LPN Charge Nurse 7 d/wk on Days For 20+ beds: DON may not be Charge Nurse For 100, 150, 200 etc. beds: add 1 LN for each increment of 50 For 100+: for each multiple of 100, the additional LN shall be an RN and 1 RN/LPN Eve, on duty 8 hrs every eve. and 1 RN/LPN for multiples of 70 beds For 100+: one of additional LNs shall be an RN and 1 RN/LPN Night & 1 RN/LPN for multiples of 100 For 100+: an RN shall be on duty at night</p> <p>DIRECT CARE STAFF 1:5 ratio Days 1:10 ratio Evenings 1:15 ratio Nights Include RNs, LPNs, CNAs who provide direct care.</p>	<p>(RN .32)</p> <p>LN .56</p> <p>DC 2.93</p> <p>Total 3.49</p>	<p>SAL: Code of ME Rules 10-144 <i>CMR</i> 110 Ch. 9 Sec. 9.A.3 and 9.A.4. ME Sec of State, Rules By Department: Eff. 2/1/01</p> <p>http://www.maine.gov/sos/cec/rule/s/10/ch110.htm</p>	<p>Previous Regulation: SC: Public Law 1999 Ch. 731 Sec. BBBB -11 Direct care ratios were: Day 1:5 Eve 1:10 and Night 1:18. Passed & Signed 4-25-00. Eff. 10-1-00. http://www.mainelegislature.org/ros/LOM/lom119th/5pub701-750/5Pub701-750-110.htm</p> <p>OnLine Updates: Dept. of Health & Human Services (DHHS) Homepage: http://www.maine.gov/dhhs/</p> <p>DHHS Rule Updates: http://www.maine.gov/dhhs/dlrs/rulemaking/index.shtml</p> <p>ME Legislative Updates: http://www.mainelegislature.org/legis/bills/</p>
MI	<p>SUFFICIENT STAFF: to meet the needs of residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN (with training in gerontology) included in 1 RN/LPN 24 hrs/7d/wk</p> <p>DIRECT CARE STAFF 2.25 hprd or ratio of 1:8 ratio Days 1:12 ratio Evenings 1:15 ratio Nights For 30+ beds, exclude time of DON.</p>	<p>(RN .06)</p> <p>LN .24</p> <p>DC 2.25</p> <p>Total 2.31</p>	<p>SC: MI Compiled Laws, Public Health Code "Act 368 of 1978" Sec. 333.21720a(2) Eff. 3-30-79.</p> <p>http://www.legislature.mi.gov/(S(r30sqz452jdpbgzpy3yk0x45))/mileg.aspx?page=getObject&objectName=mcl-333-21720a</p>	<p>OnLine Updates: For pending legislation, text and status, see MI Legislature homepage: http://www.legislature.mi.gov/(S(zhnvpk55hzqitk4554icfiaz))/mileg.aspx?page=home</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
MN	<p>SUFFICIENT STAFF: to meet the needs of residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time (at least 35 hrs) included in 1 RN/LPN 8 hrs/7 days/week Designate a nurse responsible for DON duties when DON is absent RN on call during all hours when an RN is not on duty.</p> <p>DIRECT CARE STAFF 2.0 hprd including all LNs and NAs for any 24 hour period. For 60+ licensed beds: exclude DON hours. 1 "responsible person" awake, dressed, and on duty at all times.</p>	<p>(RN .05)</p> <p>LN .08</p> <p>DC 2.0</p> <p>Total 2.05</p>	<p>SC & SAL: MN Statutes Sec. 144A.04 Subdiv. 7(a). Eff. 1988, 1996, 2000. http://www.revisor.leg.state.mn.us/stats/144A/04.html</p> <p>MN Rules Pt. 4658.0510 Nursing Personnel. Posted October 11, 2007 https://www.revisor.mn.gov/rules/?id=4658.0510</p> <p>MN Rules Pt. 4658.0500 Director of Nursing Services http://www.revisor.leg.state.mn.us/arule/4658/0500.html</p>	<p>Online Updates: MN Legislature: http://www.leg.state.mn.us/leg/legis.asp</p>
MO	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable level of physical, mental and psychosocial well-being</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN included in 1 RN Day and 1 RN/LPN Eve & Night and 1 RN on call if only LPN on duty When DON is LPN, an RN should consult 4 hours per week.</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .08)</p> <p>LN .24</p>	<p>SAL: MO Code of State Regulation 19 CSR 30-85 (34)-(38) Eff. 1-30-04. http://www.sos.mo.gov/adrules/csr/current/19csr/19c30-85.pdf</p>	<p>SAL: Intermediate Care Facility: 1 DON RN/LPN. If LPN is DON, RN must be a consultant 4 hrs/wk included in 1 RN/LPN Day on duty and 1 RN/LPN on call 24hrs/7days.</p> <p>Online Updates: Missouri Code of State Regulations: http://www.sos.mo.gov/adrules/csr/csr.asp</p> <p>Legislative Updates: Missouri General Assembly: http://www.moga.mo.gov/statutesearch/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
MS	<p><u>SUFFICIENT STAFF:</u> No requirement.</p> <p><u>LICENSED STAFF</u> (RN, LPN/ LVN) 1 DON RN full-time Day (40 hrs/wk) For 1-60 beds: DON may be Charge Nurse For 180+ beds: add 1 Asst DON RN included in 1 RN Day 7 days/week on day shift and 1 RN/LPN Charge Nurse Day & Eve and 1 RN/LPN Medication Nurse Day & Eve each station 1 RN/LPN Charge Nurse & medication/treatment nurse Night on each station For 60+ beds: Charge Nurse may not be DON or Medication/Treatment Nurse</p> <p><u>DIRECT CARE STAFF</u> 2.8 hprd for licensed and unlicensed staff 2 employees at all times</p>	<p>(RN .14)</p> <p>LN .54</p> <p>DC 2.8</p> <p>Total 2.86</p>	<p>SAL: <i>MS Administrative Code</i>, Title 15, Part 3, Subpart 01, Ch. 45, Part 2, Sect. 103 Nursing Facility, Subsect. 103.01. Reaffirmed 7-7-10, Eff. 8-8-10.</p> <p>http://www.msdh.state.ms.us/msdhsite/_static/resources/119.pdf</p>	<p><i>OnLine Updates:</i> http://billstatus.ls.state.ms.us/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
MT	<p>SUFFICIENT STAFF: to meet the nursing needs of the residents, reflecting current concepts of restorative and geriatric care.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 RN 8 hours 7days/wk 4-40 beds: 1 RN day, 1 LVN evening, 1 LVN nights For 41+ beds: 1 RN full-time DoN included in For 41-75 beds: Add 1 LPN day, For 51-75 beds: Add 1 RN eve instead of LPN For 71-80 beds: Add 1 RN nights instead of LPN For 76-80 beds : 1 RN and 2 LPNs day, 1 RN and 1LPN eve, 1 RN nights For 81-90 beds: 1 RN and 2 LPNs day, 1 RN and 1 LPN eve and night For 91-100 beds: 2 RNs and 2 LPNs day, 1 RN and 1 LPN eve and 1 RN and 1 LPN night For 101+ beds: staffing is negotiable</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 4 NA hours for every 5 residents per day on days For 9-75 beds, add 1 NA on days For 76-80 beds, 42 hours total For 81-85 beds, 52 NA hours For 86-90 beds, 56 NA hours For 91-95 beds, 52 hours For 96-100 beds, 56 hours</p> <p>4 NA hours for 16+ beds on Eve increasing in increments of 4 NA hours for each additional 5 beds up to 70 beds, 32 hours for 66-90 beds, 36 for 91-95 beds, 40 NA hours for 195-100 beds</p> <p>4 NA hours for 21+ beds on Night increasing in increments of 4 NA hours for every additional 5 beds up to 24 NA hours for 66-100 beds</p>	<p>(RN .32)</p> <p>LN .64</p> <p>NA 1.2</p> <p>Total 1.84</p>	<p>SAL: Administrative Rules of MT Title 37, Sec. 106.605 et seq. Eff. 3-31-02. Minimum Standards for a Skilled Nursing Care Facility for each 24 Hour Period--Staffing (Title 37) http://www.mtrules.org/gateway/ChapterHome.asp?Chapter=37%2E106 http://www.mtrules.org/gateway/RuleNo.asp?RN=37%2E106%2E605 (Sec. 106.605)</p>	<p>OnLine Search: ARM (Admin Rules of Montana) http://www.mtrules.org/</p> <p>Legislative Updates: http://laws.leg.mt.gov/pls/laws07/law0203w\$.startup</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
NC	<p>SUFFICIENT STAFF: to accomplish the purposes of needs assessment, care planning and supervision</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hrs 7d/wk included in 1 RN/LPN 24 hours/7d/wk For 1-60 occupancy: DON may be charge nurse</p> <p>DIRECT CARE STAFF 2.1 hprd including LNs but exclude DON if over 60 beds and exclude administrators, clerks, and nurse educators. For multi-storied facilities, 1 direct care staff on duty every floor 24 hrs/7days/wk.</p>	<p>(RN .08)</p> <p>LN .24</p> <p>DC 2.16</p>	<p>SAL: NC Administrative Code Section. 2300 – Patient and Resident Care and Services, 10A NCAC 13D. 2303, Nurse Staffing Requirements (d) Authority G.S.131E-104 Eff. 1-1-96.</p> <p>http://reports.oah.state.nc.us/ncac/title%2010a%20-%20health%20and%20human%20services/chapter%2013%20-%20nc%20medical%20care%20commission/subchapter%20d/subchapter%20d%20rules.html</p>	<p>Online Updates: NC Register: http://www.oah.state.nc.us/rules/register</p> <p>Legislative Updates: http://www.ncga.state.nc.us/Legislation/Legislation.html</p>
ND	<p>SUFFICIENT STAFF: to meet the nursing needs of residents</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN included in 1 RN 8 consecutive hrs/7d/wk and 1 RN/LPN Charge Nurse 24hrs/7days/wk</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .08)</p> <p>LN .32</p>	<p>SAL: ND Administrative Code State Department of Health Regulation 33-07-03.2-14. Authority NDCC 28-32-02(1) Eff. 7-96.</p> <p>http://www.legis.nd.gov/information/acdata/pdf/33-07-03.2.pdf</p>	<p>Online Updates: ND legislative branch homepage: http://www.legis.nd.gov/information/bills/</p> <p>Information about agency rule-making: http://www.legis.nd.gov/information/rules/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
NE	<p>SUFFICIENT STAFF: to meet the residents' needs personal care, activities of daily living, supervision, supportive services and medical care.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in (cannot be waived) 1 RN 8 consecutive hrs/7days/wk and 1 RN/LPN Charge Nurse on each tour of duty 24 hrs/7days/week For 1-59 occupancy: DON may be Charge Nurse</p> <p>DIRECT CARE STAFF No minimum requirement</p>	(RN .08) LN .32	<p>SAL: NE Agency Rules for Health and Human Services, Regulation and Licensure, SNF-NF-ICF 175 NAC 12-006.04C. Eff. 2/27/2007,</p> <p>http://www.sos.state.ne.us/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-175/Chapter-12.pdf</p>	<p>OnLine Updates: Agency Rules and Regulations: http://www.sos.state.ne.us/rules-and-regs/regsearch</p> <p>Legislative Updates: http://nebraskalegislature.gov/</p>
NH	<p>SUFFICIENT STAFF: to attain the highest practicable physical, mental and psychosocial well-being of each resident</p> <p>LICENSED STAFF (RN.,LPN/ LVN) 1 RN DON included in 1 RN 8 hours/7 days/week included in 1 RN/LPN 24 hours/7 days/week</p> <p>DIRECT CARE STAFF No minimum requirement</p>	(RN .08) LN .24	<p>SAL: NH Code of Administrative Rules; Ch. He-P 803.03 Personnel and Staffing (Nursing home regulations listed as expired 2010)</p> <p>http://www.gencourt.state.nh.us/rules/state_agencies/he-p.html</p>	<p>OnLine Updates: Legislative Updates: http://www.gencourt.state.nh.us/index/</p> <p>Division of Administrative Rules: http://www.gencourt.state.nh.us/rules/index.html</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
NJ	<p><u>SUFFICIENT STAFF:</u> No requirement.</p> <p><u>LICENSED STAFF:</u> (RN, LPN/LVN) 1 DON RN full-time and 1 RN alternate DON when regular DON absent For 150+ licensed beds: add 1 Asst. DON RN 1 RN on duty during all Day shifts and 1 RN on duty or on call all Eve. & Night shifts For 150+ beds: 1 RN 24hrs/7d/wk Plus advisory requirements for 200+ beds</p> <p><u>DIRECT CARE STAFF</u> 2.5 hprd (exclude DON, but include DON's direct care hours in facilities with more than 1 FT DON) 20% of 2.5 hprd provided by RN/LPN Plus additional hprd for specified resident conditions or treatments</p>	<p>(RN .16)</p> <p>LN .24</p> <p>DC 2.5</p> <p>Total 2.58</p>	<p>SAL: <i>NJ Administrative Code</i>, Title 8, Ch. 39, Sch. 25. [8:39-25.1-25.4]. Eff. 11-21-1994; Republished without substantial change 1-2001; Republished: 2/15/2007 to 2/15/2012</p> <p>http://www.state.nj.us/health/healthfacilities/documents/lrc/regnjac839.pdf</p>	<p>OnLine Updates: For NJ Legislative Updates: http://www.njleg.state.nj.us/bills/BillsByKeyword.asp</p> <p>NJ Administrative Code updates: http://www.state.nj.us/health/healthfacilities/rules.shtml</p>
NM	<p><u>SUFFICIENT STAFF:</u> to meet each residents' needs and implement each resident's comprehensive care plan.</p> <p><u>LICENSED STAFF:</u> (RN, LPN/LVN) 1 DON RN full-time Days included in 1 RN/LPN Charge Nurse 24 hrs/7d/wk DON may be the Charge Nurse</p> <p><u>DIRECT CARE STAFF</u> 2.5 hprd 7 days a week on average 1:9-10 ratio average For example: 1:7 Days; 1:10 Evenings; 1:12 Nights. Include only direct care hrs of DON, Asst. DON, Nursing Department Director. 1 nursing staff person on duty at all times.</p>	<p>(RN .06)</p> <p>LN .24</p> <p>DC 2.5</p> <p>Total 2.56</p>	<p>SAL: <i>NM Administrative Code</i> 7.9.2.50-.51 Requirements for Long Term Care Facilities. Eff: 8-31-2000</p> <p>http://www.nmcpr.state.nm.us/nmac/parts/title07/07.009.0002.htm</p>	<p>SAL: Intermediate care facilities may have 2.3 direct care hours 7 days a week on average.</p> <p>OnLine Updates: Statutes, Administrative Code, and pending legislation: http://www.nmlegis.gov/lcs/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
NV	<p>SUFFICIENT STAFF: to attain and maintain the highest practicable physical, mental and psychosocial well-being of each patient</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON full-time RN included in 1 RN 8 consecutive hrs/ 7d/wk For 1-60 occupancy, DON may be Charge Nurse and 1 LPN Charge Nurse each shift</p> <p>DIRECT CARE STAFF No minimum requirement</p>	(RN .08) LN .32	<p>SAL: NV Administrative Code, Regulations of State Board of Health, Ch. 449, Sec. 59 and Secs. 74517 and 74519 Eff: 9-27-1999.</p> <p>http://www.leg.state.nv.us/NAC/NA C-449.html</p> <p>http://www.leg.state.nv.us/NAC/NA C-449.html#NAC449Sec74517</p>	<p>OnLine Updates: Administrative Code: http://www.leg.state.nv.us/nac/CHAPTE RS.HTML</p> <p>Legislative Updates: http://www.leg.state.nv.us/23rdSpecial/ Reports/</p>
NY	<p>SUFFICIENT STAFF: to attain well-being of the residents 24 hours/day</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hours/7d/wk 1 RN/LPN Charge Nurse 24 hours/7d/wk or 1 Charge Nurse for each unit or proximate units for each tour of duty For 1-60 occupancy, DON may serve as charge Nurse.</p> <p>DIRECT CARE STAFF No minimum requirement</p>	(RN .08) LN .54	<p>SAL: NY Code Revised Regulations, Title 10 Health, Sec. 415.13 Nursing Services Eff: 1-13-93, Reissued 7-95, Revised 3-31-97 Reissued 12/19/07.</p> <p>http://w3.health.state.ny.us/dbspac e/NYCRR10.nsf/56cf2e25d626f9f7 85256538006c3ed7/8525652c006 80c3e8525652c004980f8?OpenD ocument</p>	<p>OnLine Updates: NY State Dept. of Health Laws and Regulations Changes: http://www.health.state.ny.us/regulation s/</p> <p>NY State Assembly Legislation Updates: http://assembly.state.ny.us/leg/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
OH	<p>SUFFICIENT STAFF: to provide adequate services and care at all times</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time (8 hours per day, between 6am&6pm) 5D/wk); Acting DON must be RN; 1-59 beds, DON may be counted in the staffing requirements. Minimum of 0.2 hprd RN time</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 2.0 hprd minimum</p> <p>DIRECT CARE STAFF 2.75 hprd minimum (2.0 hprd NA; 0.2 hprd RN and LNs providing direct care) 1:15 ratio</p>	<p>(RN .20)</p> <p>LN .20</p> <p>NA 2.0</p> <p>Total 2.75</p>	<p>SAL: OH Administrative Code 3701-17-08 Personal requirements. Review dates: 05/19/2006, 05/01/2011 Eff. 1-1-74; 12-21-92; 10-20-01 Statutory Authority 3721.04</p> <p>Nursing Home Personnel code: http://codes.ohio.gov/oac/3701-17-08 http://codes.ohio.gov/orc/3721</p>	<p>OnLine Updates: OH General Assembly: Legislative Updates/Bills: http://www.legislature.state.oh.us/search.cfm</p>
OK	<p>SUFFICIENT STAFF: to meet the needs of all residents</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN/LPN Day shift and available by phone 1 RN/LPN 8 hours 7 days/week and (if DON is LPN, at least 1 RN 8h/wk consultant) 1 RN/LPN on duty at all times</p> <p>DIRECT CARE STAFF 1:6 7am-3pm 1:8 3pm-11pm 1:15 11pm-7am If flexible staff scheduling, must maintain 2.86 hrs 7 days a week and 1:16 ratio with 2 staff on duty & awake at all times. Progressive increases in staffing (based on reimbursements) from 2.86 to 3.2 to 3.8 to 4.1 hrs/day per occupied bed</p>	<p>(RN .01)</p> <p>LN .32</p> <p>DC 2.86</p> <p>Total 3.18</p>	<p>SAL: OK Administrative Code, Title 310--Chapter 675, Subchpt.13 -- Oklahoma Dept. of Health, Nursing and Specialized Facilities, Staff Requirements: (13-1, 13-5, 13-12) Eff. 9/1/03 http://www.oar.state.ok.us/oar/cod/edoc02.nsf/frmMain?OpenFrameSet&Frame=Main&Src=75tnm2shfcdnm8pb4dthj0chedppmcbq8dtm%2Fmak31ctijujrgcln50ob7ckj42tbkdt374obdcli00</p> <p>Nursing Home Care Act Title 63:1-1925.2 Enacted 11-1-05. http://www.ok.gov/health/documents/HRDS_Chapt675-NHCAct.pdf</p>	<p>OnLine Updates: Oklahoma Legislative Changes/Bills: http://webserver1.lsb.state.ok.us/WebBillStatus/main.html</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
OR	<p>SUFFICIENT STAFF: to provide care to achieve highest degree of function.</p> <p>LICENSED STAFF (RN, LPN/LVN)</p> <p>1 DON RN 1 RN/LPN Charge Nurse 24 hr/7d/wk including 1 RN Charge Nurse 8 consecutive hrs (7am -11pm) For 1-60 residents: DON may be Charge Nurse No less than 1 RN hour per resident per week. For 41+ beds: exclude hrs of RN administrator</p> <p>NURSE ASSISTANT STAFF (NA/CNA) Beginning April 1, 2009 1:7 Days 1:11 Evenings 1:18 Nights 2 staff on duty at all times</p>	<p>(RN .22)</p> <p>LN .30</p> <p>NA 2.31</p> <p>Total 2.61</p>	<p>SAL: OR Administrative Rules, 411-086-0100 Eff. 08/01/2004. 411-086-0100 Nursing Services: Staffing Amended 8/28/2008</p> <p>http://www.dhs.state.or.us/policy/spd/rules/411_086.pdf</p>	<p>OnLine Updates: Legislation, Oregon Revised Statutes and Oregon Laws: http://www.leg.state.or.us/bills_laws/</p> <p>OR Administrative Rules and Oregon Bulletin, notices of proposed rulemaking: http://www.dhs.state.or.us/policy/spd/alpha.htm</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
PA	<p><u>SUFFICIENT STAFF:</u> to meet the needs of residents.</p> <p><u>LICENSED STAFF</u> (RN, LPN/LVN) 1 DON RN full-time (1 per facility) and 1 RN Charge Nurse 24hrs/7d/wk For 1-59 residents: 1RN Day & Even; 1 RN/LPN Nights. If LPN is Charge Nurse, RN must be on call For 60-150 residents: 1 RN 24hr/7d/wk; For 151-250: 1 RN & 1 LPN 24 hr/7d; For 251-500: 2 RNs 24hr/7d For 501-1,000: 4 RN D; 3 RN Eve & Nights For 1001+ residents: 8 RN D; 6 RN Even & 6 Nights</p> <p><u>NURSE ASSISTANT STAFF</u> (NA/CNA) 1:20 nursing staff employees to residents 2 staff on duty at all times</p> <p><u>DIRECT CARE STAFF</u> 2.7hprd</p>	<p>(RN .30)</p> <p>LN .30</p> <p>DC 2.7</p> <p>Total 2.76</p>	<p>SAL: PA Administrative Code Sec. 211.12 Nursing Services Eff: 9-1-1975; Am. 7-1-87; Am (e) and (f) 7-1-1988; Am. 7-24-99 Authority: Health Care Facilities Act 35 P.S>Sec 448.803.</p> <p>http://www.pacode.com/secure/data/028/chapter211/s211.12.html</p>	<p>OnLine Updates: http://www.pabulletin.com/ and http://www.pacode.com/</p> <p>PA Legislation/Bills: http://www.legis.state.pa.us/cfdocs/legis/home/session.cfm</p>
RI	<p><u>SUFFICIENT STAFF:</u> To meet the needs of residents at all times</p> <p><u>LICENSED STAFF</u> (RN, LPN/LVN) 1 DON RN full-time and (1 relief RN when DoN absent) 1 RN on duty 24 hrs/7d/wk For 1-30 beds: DON may act as Charge Nurse</p> <p><u>DIRECT CARE STAFF</u> 1 staff certified in basic life support available 24hrs/7d/wk No nursing staff of any facility shall be regularly scheduled for double shifts.</p>	<p>(RN .32)</p> <p>LN .32</p>	<p>SAL: RI Department of Health, Rules and Regulations for Licensing of Nursing Facilities (R23-17-NF) Part III, Sec. 24.0 Eff. 11-07-2006.</p> <p>http://www2.sec.state.ri.us/dar/regdocs/released/pdf/DOH/4215.pdf</p>	<p>OnLine Updates: For regulations: http://www.sec.state.ri.us/rules/</p> <p>Legislation: http://www.rilin.state.ri.us/Genmenu/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
SC	<p>SUFFICIENT STAFF: To attain or maintain the highest practicable functioning and safety of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time and For 1-22 beds: include DON in licensed staff 1 Licensed Nurse per work area per shift For 45+ residents per station: 2 LNs for first shift, and at least 1LN for second and third shift. At least 1 RN per facility 24hrs/7days OR on call</p> <p>NON-LICENSED STAFF (NA/CNA) 1:9 Shift 1 1:13 Shift 2 1:22 Shift 3</p>	<p>(RN .06)</p> <p>LN .70</p> <p>NA 1.86</p> <p>Total 2.56</p>	<p>SAL & SC: SC Dept. Health & Environmental Control, Regulation No. 61-17 "Standards for Licensing Nursing Homes" Pub. 3-28-92 as amended by SC Code of Regulations Sec 44-7-262. Amended by S238 (1977). Eff. 1-1-99. (Republished June 26, 2009)</p> <p>http://www.scdhec.gov/administrati on/regs/docs/61-17.pdf</p>	<p>OnLine Updates: Legislation: http://www.scstatehouse.net/cgi-bin/web_subject.exe</p> <p>SC Dept. Health & Environmental Control Updates: http://www.scdhec.gov/administration/regs/</p>
SD	<p>SUFFICIENT STAFF: to meet the resident's total needs at all times.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time and 1 RN/LPN Charge Nurse 24 hours/7days/wk For 1-59 residents: DON may be Charge Nurse. Ratio of LNs to NAs sufficient to provide supervision</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .06)</p> <p>LN .30</p>	<p>SC: SD Rules 44:04:06:09. Under 31 SDR 62, Eff: 11-7-04. Authority SDCL 34-12-13.</p> <p>http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=44:04:06:09</p>	<p>OnLine Updates: Administrative Rules: http://legis.state.sd.us/rules/RulesList.aspx</p> <p>Legislative Bills/Updates: http://legis.state.sd.us/sessions/2007/keyword.htm</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
TN	<p>SUFFICIENT STAFF: Adequate numbers to provide care as needed</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN and 1 RN/LPN 24 hours/7days/week included in 0.4 hprd LNs</p> <p>DIRECT CARE STAFF 2.0 hprd including 0.4 hprd of LNs time 2 staff on duty each shift</p>	<p>(RN .06)</p> <p>LN .40</p> <p>DC 2.0</p> <p>Total 2.0</p>	<p>SAL: Rules of Tennessee Department of Health, Div. of Health Care Facilities, Ch. 1200-8-6-.06 "Standards for Nursing Homes" -.06-(4)(a)(b)(d) revised October 2007</p> <p>http://state.tn.us/sos/rules/1200/1200-08/1200-08-06.pdf</p>	<p>OnLine Updates: Regulations: http://tn.gov/tsla/index.htm</p> <p>Legislative Updates: http://www.legislature.state.tn.us/</p>
TX	<p>SUFFICIENT STAFF: to provide care to all residents</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time 40 hrs/wk included in For 1-60 occupancy: DON may be Charge Nurse 1 RN 8 consecutive hrs/7d/wk and 1 RN/LPN Charge Nurse 24hrs/7days/wk in 0.4 hprd LNs or 1:20 LNs every 24 hrs Exclude administrative time of licensed staff and DON in a multi-level facility</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN. 08)</p> <p>LN .40</p>	<p>SAL: TX Administrative Code Title 40, Part I, Subch. K, Rules 19.1001 and 19.1002 "Nursing Services." Eff: 5-1-95; amended to be Eff: 3-1-98</p> <p>http://info.sos.state.tx.us/pls/pub/readtac\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=40&pt=1&ch=19&rl=1001</p>	<p>SAL. TX Health and Safety Code Title 40 Health Facilities, Ch. 242.037. Eff. 9-1-89; Amendments through 9-1-99. Both Licensure and Medicaid Certification are governed by TX Administrative Code, Title 40, Part I, Subch. K.</p> <p>OnLine Updates: Texas Register: http://www.sos.state.tx.us/texreg/</p> <p>Legislative Updates: http://www.capitol.state.tx.us/MnuLegislation.aspx</p> <p>Administrative Code Updates: http://www.tea.state.tx.us/index4.aspx?id=2130</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
UT	<p>SUFFICIENT STAFF: to meet the needs of the residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time 1 RN 8 consecutive hours/7days/wk included in 1 RN/LPN Charge Nurse each shift DON may not serve as Charge Nurse</p> <p>DIRECT CARE STAFF No minimum requirement</p> <p><i>Small Healthcare Facility (4-16 beds) :</i> 2.0 hprd (120 minutes) (RN + LPN + Aides) 20% by licensed staff (RN + LPN).</p>	<p>(RN .08)</p> <p>LN .30</p>	<p>SAL: UT Administrative Code R432-150-5 Scope of Services. Eff: 12/1/99. http://www.rules.utah.gov/publicat/code/r432/r432-150.htm</p> <p>R432-200-15. [re: Small Health Care Facility (4-16 beds)] 3/3/95. http://www.rules.utah.gov/publicat/code/r432/r432-200.htm#T15</p>	<p>OnLine Updates: <i>Administrative Code Updates:</i> http://www.rules.utah.gov/publicat/code.htm</p> <p>Legislative Updtates/Bills: http://le.utah.gov/asp/billsintro/index.asp</p>
VA	<p>SUFFICIENT STAFF: to meet the assessed needs of all residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time 5 days/wk For 1-59 beds: DON may be Nursing Supervisor 1 [RN/LPN] Nursing Supervisor</p> <p>DIRECT CARE STAFF Qualified staff on all shifts 7d/wk No minimum requirement</p>	<p>(RN .06)</p> <p>LN .14</p>	<p>SAL:VA Administrative Code 12 VAC5-371-200, 210, 220. Eff. 7-1-97; Rev. 1/11/2006; Amended 3-1-2007. Nursing Facility Regulations: http://www.vdh.state.va.us/OLC/Laws/documents/nursingHomes/nursing%20facility%20regs.pdf</p>	<p>OnLine Updates: <i>VA Dept. Health Regs:</i> http://www.vdh.state.va.us/OLC/Laws/documents/nursingHomes/nursing%20facility%20regs.pdf</p> <p>Code of Virginia Updates: http://leg1.state.va.us/000/src.htm</p> <p>VA Administrative Code: http://leg1.state.va.us/cgi-bin/legp504.exe?000+men+SRR</p> <p>Legislation/Bills: http://leg1.state.va.us/cgi-bin/legp504.exe?071+men+BIL</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
VT	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time included in 1 RN 8 consecutive hours/7d/wk and 1 RN/LPN Charge Nurse 24 hrs/7d/wk For 1-60 occupancy: DON may be Charge Nurse</p> <p>NURSE ASSISTANT STAFF (LNA/CNA) 2.0 hprd LNA (CNA)</p> <p>DIRECT CARE STAFF 3.0 hprd of which 2.0 hprd must provided by LNA (CNA)</p>	<p>(RN .08)</p> <p>LN .32</p> <p>NA 2.0</p> <p>Total 3.0</p>	<p>SAL: VT Administrative Code 7.13 Nursing Services. Eff: 1994. Rev 12/15/2001</p> <p>http://dail.vermont.gov/dail-statutes/statutes-dlp-documents/nursing-home-regulations</p>	<p>OnLine Updates: <i>Dept Aging & Disabilities Rules Update:</i> http://www.dad.state.vt.us/Regulations/nhregfinal.html#QualityOfCare</p> <p>VT Legislative/Bills Update: http://www.leg.state.vt.us/database/database2.cfm</p>
WA	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental and psychosocial well-being of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time and 1 RN/LPN Charge Nurse each tour of duty including 1 RN 16 hrs/7d/wk and 1 RN/LPN "directly supervising resident care" for the other 8 hrs/7 days a week</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>(RN .22)</p> <p>LN .30</p>	<p>SAL: WA Administrative Code, Ch. 388-97-1080 Nursing Services. filed 9/24/08, effective 11/1/08.</p> <p>http://apps.leg.wa.gov/WAC/default.t.aspx?cite=388-97&full=true#388-97-115</p>	<p>OnLine Updates: For WA Administrative Code Updates: http://apps.leg.wa.gov/WAC/default.aspx?cite=388-97&full=true#388-97-115</p> <p>For WA Legislation/Bills: http://apps.leg.wa.gov/billinfo/</p> <p>For WA Agency Rules: http://apps.leg.wa.gov/wac/</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
WI	<p>SUFFICIENT STAFF: To meet the specific needs of each resident.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN full-time Day and For 1-59 residents: DON RN may be Charge Nurse or other RN 1 Charge Nurse on duty at all times 0.65 LN hprd for intensive skilled nursing 0.5 LN hprd for skilled nursing 0.4 LN hprd for intermediate nursing</p> <p>DIRECT CARE STAFF For intensive skilled nursing care, 3.25 hprd including 0.65 LN hprd For skilled nursing care, 2.5 hprd including 0.5 LN hprd For intermediate or limited nursing care, 2.0 hprd including 0.4 LN hprd</p>	<p>(RN .06)</p> <p>LN .65</p> <p>DC 3.5</p> <p>Total 3.5</p>	<p>SC & SAL: WI Statutes Ch. 50.04(lm)2 1, 2, 3 Eff: 6-98. WI Dept. Health & Family Services Regulation 132.62(2) & (3). Eff: 9-1-07. Updated through 2009 Act 406, and October 31, 2010.</p> <p>http://www.legis.state.wi.us/statutes/Stat0050.pdf</p>	<p>SAL: Intermediate Care Facility: 1 RN/LPN Charge Nurse every tour of duty who may be DON.</p> <p>OnLineUpdates: <i>WI Statutes:</i> http://www.legis.state.wi.us/rsb/stats.html</p> <p>WI Dept. Health & Family Services Rule Updates: http://www.legis.state.wi.us/rsb/code/hfs/110.html</p>
WV	<p>SUFFICIENT STAFF: to attain or maintain the highest practicable physical, mental, and psychosocial well being of each resident</p> <p>LICENSED STAFF: (RN, LPN/LVN) 1 DON RN full-time Day 8hrs/5days/wk and 1 RN/LPN Charge Nurse each unit each shift 1 RN on duty 8 consecutive hrs/7days/wk: For less than 60 beds, DON can count as RN If no RN on duty, a RN must be on call</p> <p>DIRECT CARE STAFF 2.25 hprd (RN/LVN/CNA) 51 or fewer beds have higher staffing required For 60+ beds: exclude DON</p>	<p>(RN. 08)</p> <p>LN .54</p> <p>DC 2.25</p> <p>Total 2.31</p>	<p>SAL: WV Code of State Rules, 64 CSR 13 – 8.14 (Nursing Services Staffing) and see below 64 CSR 13 -17 for Table 64-13A for “Minimum Ratios of Resident Care Personnel to Residents”.(64 CSR 8.14 Eff. 7-01-07).</p> <p>http://apps.sos.wv.gov/adlaw/files/rulespdf/64-13.pdf</p>	<p>OnLine Updates: Legislation/Bills: http://www.legis.state.wv.us/Bill_Status/bill_status.cfm</p> <p>Code of State Rules (CSR): http://www.wvsos.com/csr/search.asp</p>

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

State	MINIMUM STAFFING STANDARD FOR SKILLED NURSING OR NURSING FACILITIES	STATE STANDARD		Comments
		Estimated variance from federal standard for facility with 100 beds	Staffing Standard Citation and URL	
WY	<p>SUFFICIENT STAFF: to meet the total needs of the residents</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON full-time RN and 1 RN/LPN Charge Nurse on Days 7days/week for each nursing station and 1 RN/LPN all other tours of duty (DON excluded for 60+ beds)</p> <p>DIRECT CARE STAFF 2.25 hprd per 24 hrs/7days/week</p>	<p>(RN .06)</p> <p>LN .54</p> <p>DC 2.25</p> <p>Total 2.31</p>	<p>SAL: WY Rules and Regulations, Department of Health, Ch. 11, Sect 9 Eff. 5/26/78.</p> <p>http://soswy.state.wy.us/Rules/RULES/4065.pdf</p>	<p>OnLine Updates: Wyoming statutes: http://legisweb.state.wy.us/titles/statutes.htm</p> <p>WY Rules and Regs, current rules: http://legisweb.state.wy.us/leginfo/exorders/exorders.htm</p>

Source: State statutes and regulations were collected from the Internet.

Definitions:
 DON = Director of Nursing – states may their own requirements but the federal requirement is that a DON must be a licensed RN.
 RN = Registered nurse -- has a two-year degree, three-year diploma, four-year degree or more education and is licensed in a state.
 LPN/LVN = Licensed practical nurse or licensed vocational nurse – has a one-year degree and is licensed in a state.
 LN = A licensed nurse can be either a RN or LVN/LPN.
 NA = A nursing assistant or nurse’s aide or orderly. If the NA has 75 hours of training and passes a competency exam, the NA can become a certified NA (CNA).
 Hprd = Hours per resident day. D= Day shift. E= Evening shift. N = Night shift.
 SC = State code or statutes. SAL = State administrative law or regulations. SDP = State written policy. Eff. = Effective on. Ch.= Chapter.

Note: We included state staffing requirements for Medicaid if there were specific requirements. Since approximately 95 percent of facilities are certified for Medicare and/or Medicaid, the Medicaid staffing requirements apply to certified facilities. In calculating the estimated variance from the federal standard, the state requirements were converted to a number by estimating the hours per resident day for a 100 bed nursing facility, assuming that each 100 bed facility had at least 2 units. For simplicity purposes, each fulltime staff member was considered to work 8 hours per day (even though actual fulltime hours are generally considered to be 35 hours per week if vacations and sick days are taken into account). For example, a ratio of 1:10 nurse per resident was converted to 8 hours (for 1 nurse) and divided by the number of residents (10) to determine that the total was .8 hprd. These ratios were added for all three shifts during a day. Where we estimated the hprd, the numbers are shown in parenthesis. For one fulltime DON (40 hours per week), we assumed that the total hours were .06 hprd (40 hours divided by 7 days divided by 100 residents). For 24 hour per day licensed nurses (LNs), we assumed the equivalent was .24 hprd for 100 residents.