

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

By

Charlene Harrington. Ph.D.

Department of Social and Behavioral Sciences

University of California San Francisco

3333 California Street Suite 455

San Francisco, CA 94118

Charlene.Harrington@ucsf.edu

January 2008

We want to acknowledge the assistance of Theodore Tsoukalas, Ph.D. and Caroline Stephens, M.S., R.N. in collecting and preparing the data for this report which updates a report prepared in May 2001.

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/7days/wk & 1 RN/LVN for 2 remaining shifts. Must have 1 RN who is Full Time DON (5days/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: No requirement</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>	LN .32	<p>SAL: SAL: AK <i>Administrative Code 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> http://www.legis.state.ak.us/cgi-bin/folioioisa.dll/aac/query=%5Bjump!3A!277+aac+12!2E275!27%5D/doc/%7B@31471%7D?</p>	
AL	<p>SUFFICIENT STAFF: Sufficient numbers of licensed nurses and other nursing personnel on a 24-hour basis</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>	LN .08	<p>SAL: SAL: AL <i>Administrative Code 420-5-10-.10 "Nursing Services" Eff. 8-23-96</i> http://www.alabamaadministrativecode.state.al.us/docs/hlth/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	
AR	<p>SUFFICIENT STAFF: No requirement.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time normally work on day shift; if DON has other institutional responsibilities in addition to written job description, then add 1 more RN as Assistant DON to equal one FTE of DON on duty. 1 RN or LPN Charge Nurse for each shift. 1-70 residents DON may be Charge Nurse In multi-story homes, each floor should be staffed as a individual unit</p> <p>DIRECT CARE STAFF Effective 10/1/2003-- Day Shift: 1 licensed nurse per 40 residents; 1 direct-care staff (licensed or certified nursing staff) per 6 residents Evening Shift: 1 licensed nurse per 40 residents; 1 direct-care staff (licensed or certified nursing staff) per 9 residents Night Shift: 1 licensed nurse per 80 residents; 1 direct care staff (licensed or certified nursing staff) per 14 residents</p>	<p>LN .58</p> <p>DC 2.8</p> <p>Total 3.8</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</p> <p>http://www.sos.arkansas.gov/elections/elections_pdfs/register/nov_05/016.06.05-095F-8007.pdf</p>	<p>New Legislation: Act 192 (HB 1363) requires the Office of Long-Term Care to create staffing standards for nursing facilities designated or certified as Eden Alternative nursing facilities or Green House Project nursing facilities. The act permits the Department of Health and Human Services to development a reimbursement methodology for payments for staff services and care. (http://www.arkleg.state.ar.us/data/summary/2007/2007%20FinalSummary_for%20print.pdf)</p> <p>Legislative Updates: http://www.arkleg.state.ar.us/</p>
AZ	<p>SUFFICIENT STAFF: Nursing services to meet the needs of a resident</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DoN RN full time; For 1-59 average daily occupancy: DON may provide direct care on regular basis</p> <p>DIRECT CARE STAFF 1 nurse must be present and responsible for providing direct care to not more than 64 residents</p>	<p>LN .185</p>	<p>SAL: <i>AZ Administrative Code</i> Title 9, Ch. 10, Sec. 901-905. 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). http://www.azsos.gov/PUBLIC_SERVICES/Title_09/9-10.htm</p>	<p><i>AZ Administrative Code</i>, 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.</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>SUFFICIENT STAFF: Each facility [SNF] shall employ sufficient nursing staff to provide a minimum daily average of 3.2 nursing hours per patient day.</p> <p>LICENSED STAFF (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>DIRECT CARE STAFF 3.2 hprd Do not double hours of RNs/LPNs and exclude hours of DON</p> <p>Regulations in process: Day: 1LN:20 patients 1 CNA:9 patients Evening: 1 LN:25 1 CNA:10 Night: 1 LN:30 1 CNA:15</p>	<p>RN .30</p> <p>DC 3.20</p> <p>Total 3.5</p>	<p>OnLine Updates: <i>Legislation/Bills:</i> http://www.leginfo.ca.gov/v/bilinfo.html</p> <p><i>Health & Safety Code:</i> http://www.leginfo.ca.gov/v/calaw.html</p> <p>Access this website for California Code of Regulations and insert sections of interest (e.g., 73319; 77329) http://ccr.oal.ca.gov/linkedslice/default.asp?SP=CCR-1000&Action=Welcome</p>	<p>SC: CA Health and Safety Code, Sec. 1276.5 (as amended by AB 1107, 1999) Eff. 7-22-99. SC: CA Welfare and Institutions Code Sec. 14110.7. Am. 1999. http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=13257014885+0+0+0&WALSaction=retrieve</p> <p>SAL: CA Code of Regulations Title 22 Ch. 4 Sec. 73319 and Sec. 72329. http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&Action=ExpandTree&AP=CAT22D2&ItemKey=CAT22D2&RP=%2Ftoc%2Fdefault%2EWI&Service=TOC&RS=WEBL7.09&VR=2.0&SPa=CR-1000&fragment#CAT22D2</p> <p>10-16-07 Title 22, Sections 72077 and 72329 DHP-03-010E Emergency Regulations are under consideration to establish minimum ratios of staffing per shift to implement AB 1075 Chapter 684, 2001). The following ratios would be established. Day: 1LN:20 patients 1 CNA:9 patients Evening: 1 LN:25 1 CNA:10 Night: 1 LN:30 1 CNA:15</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: Sufficient staff to provide prompt assistance</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>	<p>LN .48</p> <p>DC 2.0</p> <p>Total 2.48</p>	<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. http://www.cdphe.state.co.us/regulations/healthfacilities/10110105longtermfacilities.pdf Also in Dept. of Health care Financing Staff Manual: http://www.chcpf.state.co.us/HCPF/Pdf_Bin/402-416ltc.pdf</p>	<p>Current Regulations: Intermediate Care Facilities require 1 RN/LPN Day Shift 7days/week. If DoN is LPN, then 1 RN consultant 4 hrs/wk.</p> <p>Current Medicaid Regulations: CO Department of Health Care Policy and Financing, Staff Manual, Vol. 8 - Medical Assistance, Secs. 8.408(3) and 8.409.24. SNF requires 2.0 hppd; ICF 1 RN or LPN DoN full time 7days/wk. If LPN as DoN, 4 hrs weekly consulting by 1 RN. http://www.cdphe.state.co.us/regulations/healthfacilities/10110105longtermfacilities.pdf</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>

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	
CT	<p>SUFFICIENT STAFF: Sufficient nurses and nurse's aides 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 Day [7 am - 9 pm] .47 hprd Night [9 pm - 7 am] .17 hprd. For 61-120 beds: exclude DON; for 121+ beds, exclude Asst. DON</p> <p>NURSE ASSISTANT STAFF (NA/CNA) Total nursing & NA: 7am-9pm: 1.40 hprd; 9pm-7am .50 hprd</p>	<p>LN .70</p> <p>NA 1.90</p> <p>Total 2.60</p>	<p>SAL: <i>CT Public Health Code 2000</i> Sec. 19-13-D8t (m)(1)-(8). Eff. 05/2001 http://www.dph.state.ct.us/php/docs/39_Long-term_Hospitals.doc</p> <p>Enabled by <i>CT General Statutes</i> Code of Public Health Sec, 19a-36 (1997). http://www.cga.ct.gov/2007/pub/Title19a.htm</p>	<p>Current Regulations: SNF/NF called chronic care & and convalescent home. 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</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: 24-hour licensed nursing services 7days a week sufficient to meet the nursing needs of all patients</p> <p>LICENSED STAFF (RN, LPN/LVN) 1DON RN Fulltime 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) Day 1:35 (0.23 hprd) Evening 1:45 (0.18 hprd) Night 1:50 (0.16)</p> <p>DIRECT CARE STAFF Minimum of 2 nursing employees per nursing unit per shift 30+ licensed beds: exclude DON RN or other nursing supervisory employee not providing direct care</p> <p>Beginning no later than Jan 1, 2005, each facility shall employ sufficient nursing staff to provide a minimum daily average of 3.5 hprd. Hours shall be adjusted upward for higher nursing care needs/more acute conditions.</p> <p><u>Direct care (RN, LPN, or CNA)</u> Day 1:5 (1.6hprd) Evening 1:10 (0.8hprd) Night 1:15 (0.53hprd)</p>	<p>LN .80</p> <p>DC: 2.93</p> <p>Total 3.50</p>	<p>SAL: <i>DC Municipal Regulations</i> 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)</p> <p>http://www.hpm.umn.edu/NHRegsPlus/state_regulation_attachments/DISTRICT%20OF%20COLUMBIA-nursing%20facilities.pdf</p>	<p>OnLine Updates: <i>DC Register:</i> http://www.abfa.com/dccdocs/dccontents.htm</p> <p>To view DC Municipal Regulations directly from DC website (for a fee): http://os.dc.gov/os/cwp/view.asp?a=1206&q=522371 contact Office of Documents & Administrative Issuances for titles not available online (e.g., Title 22)</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: Sufficient number of nursing service personnel to provide care.</p> <p>LICENSED STAFF (RN, LPN/LVN) *</p> <p>1 Supervisory Nurse (DoN) RN Full Time 8hrs/7d/wk 1 RN on duty each shift, 7 days a week Designate adequate relief personnel, including a RN in charge of each shift, when she is not in the facility so that a responsible person is available at all times in the event of an emergency. Each institution shall have at least 2 or more nursing service personnel monitoring the patients 24 hours a day.</p> <p>DIRECT CARE STAFF Must provide 3.67 hours of direct nursing care per 24-hour period. By May 2003:</p> <p><u>RN/LPN</u> Day 1:15 Evening 1:20 Night 1:30</p> <p><u>CNA</u> Day 1:7 Evening 1:10 Night 1:15</p>	<p>LN 1.2</p> <p>CNA 2.47</p> <p>Total 3.67</p>	<p>Title 16 Health & Safety Regulatory Provisions Concerning Public Health, Ch. 11 Nursing Facilities & Similar Facilities, Subchapter VII. Minimum Staffing Levels for Residential Health Facilities (<i>note this is the "16 Del C Sect. 1162" from the National Health Law & Policy Resource Center table</i>). Eff. 8/28/07 http://delcode.delaware.gov/title16/c011/sc07/index.shtml</p> <p>OnLine Updates: http://www.legis.delaware.gov/LIS/LIS144.nsf/vwLegislation/SB+175?OpenDocument</p>	<p>New 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, most recently under consideration in the Senate Finance Committee (7/11/2007) would require the following minimum staffing levels:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>RN</th> <th>LPN</th> <th>AIDE</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Level I</td> <td>.29</td> <td>.84</td> <td>2.15</td> <td>3.28</td> </tr> <tr> <td>Level II</td> <td>.29</td> <td>.84</td> <td>2.25</td> <td>3.38</td> </tr> <tr> <td>Level III</td> <td>.39</td> <td>.84</td> <td>2.31</td> <td>3.54</td> </tr> <tr> <td>Level IV</td> <td>.72</td> <td>.84</td> <td>2.56</td> <td>4.12</td> </tr> <tr> <td>Level V</td> <td>.89</td> <td>.84</td> <td>2.56</td> <td>4.29</td> </tr> <tr> <td>Level VI</td> <td>.56</td> <td>.09</td> <td>1.82</td> <td>3.28</td> </tr> <tr> <td>Level VII</td> <td>.89</td> <td>1.04</td> <td>2.72</td> <td>4.65</td> </tr> <tr> <td>Level VIII</td> <td>1.22</td> <td>1.04</td> <td>3.21</td> <td>5.47</td> </tr> </tbody> </table> <p>BY APRIL 1, 2008 the facility must also meet the following minimum shift ratios:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>RN/LPN</th> <th>CNA and all other direct caregivers</th> </tr> </thead> <tbody> <tr> <td>Day</td> <td>1:15</td> <td>1:7</td> </tr> <tr> <td>Evening</td> <td>1:23</td> <td>1:9</td> </tr> <tr> <td>Night</td> <td>1:40</td> <td>1:15</td> </tr> </tbody> </table>		RN	LPN	AIDE	Total	Level I	.29	.84	2.15	3.28	Level II	.29	.84	2.25	3.38	Level III	.39	.84	2.31	3.54	Level IV	.72	.84	2.56	4.12	Level V	.89	.84	2.56	4.29	Level VI	.56	.09	1.82	3.28	Level VII	.89	1.04	2.72	4.65	Level VIII	1.22	1.04	3.21	5.47		RN/LPN	CNA and all other direct caregivers	Day	1:15	1:7	Evening	1:23	1:9	Night	1:40	1:15
	RN	LPN	AIDE	Total																																																									
Level I	.29	.84	2.15	3.28																																																									
Level II	.29	.84	2.25	3.38																																																									
Level III	.39	.84	2.31	3.54																																																									
Level IV	.72	.84	2.56	4.12																																																									
Level V	.89	.84	2.56	4.29																																																									
Level VI	.56	.09	1.82	3.28																																																									
Level VII	.89	1.04	2.72	4.65																																																									
Level VIII	1.22	1.04	3.21	5.47																																																									
	RN/LPN	CNA and all other direct caregivers																																																											
Day	1:15	1:7																																																											
Evening	1:23	1:9																																																											
Night	1:40	1:15																																																											

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	
FL	<p>SUFFICIENT STAFF: 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 is delegated institutional responsibilities, a full time qualified RN shall be designated as ADON. For 121+ residents, add 1 ADON RN 1 RN/LPN each shift included in: RN/LPN : 1.0 hprd (24 hour average)(Jan 2002) Never below 1 licensed nurse for 40 residents</p> <p>DIRECT CARE/NURSE ASSISTANT STAFF CNA: 2.7 hprd (24 hour average) starting 01/01/2007 OR 1 CNA/ 20 residents AND 1 LPN/LVN per 40 residents. Beginning 01/01/2007, min. weekly ave 2.9 hprd per day CNA direct care</p>	<p>LN 1.0</p> <p>DC 2.9</p> <p>Total 3.9</p>	<p>SAL: <i>FL Administrative Code</i> Ch. 59A-4 "Minimum Standards for Nursing Homes" Sec. 59A-4.108(4). Eff. 4-1-82. Am. 4-18-94. https://www.flrules.org/gateway/ruleNo.asp?id=59A-4.108</p> <p>**Also see 2007 Florida Statutes Chapter 400 Nursing Homes & Related Health Care Facilities 400.23 (3)(a)1 http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0400/ch0400.htm</p>	<p>Current Statute on Direct Care Minimum Staffing Standards: starting Jan. 1, 2007 2.7 hprd or 1 CNA per 20 residents and no less than 1 CNA per 40 residents</p> <p>http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0400/ch0400.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: Sufficient nursing staff on duty at all times</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time Day; DON may be director of nursing services in other nearby nursing homes if those nursing homes have 1 RN as full time Asst. DON</p> <p>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</p> <p>MEDICAID LEVEL I AND LEVEL II 2.5 hprd</p>	<p>LN .30</p> <p>DC 2.0</p> <p>Total 2.3</p>	<p>SAL: <i>GA Rules & Regulations</i>, Rules of the Dept. of Human Resources, Ch. 290 (Public Health), Ch. 290-5-8-.04 Nursing Service http://rules.sos.state.ga.us/docs/290/5/8/04.pdf</p> <p>and Ch. 290-5-9 Intermediate Care Homes (ICF). http://rules.sos.state.ga.us/docs/290/5/9/04.pdf</p>	<p>Note: A Level I nursing facility is an Intermediate Care Facility. A Level II nursing facility is a Skilled Nursing Facility.</p> <p>OnLine Updates: http://www.legis.ga.gov/cgi-bin/htsearch</p>
HI	<p>SUFFICIENT STAFF: Sufficient in number and qualifications 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>SAL: <i>HI Administrative Rules</i> Title II, Department of Health, Ch. 94, Skilled Nursing, Int. Care Facilities, Sec. 23 Eff. 5-3-85. http://www.hawaii.gov/health/about/rules/admrules.html</p> <p>HI regulations currently being updated. http://www.hawaii.gov</p>	<p>Current Regulation: 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> http://www.hawaii.gov/health/about/rules/admrules.html</p> <p>For pending bills: http://www.capitol.hawaii.gov/site1/docs/docs.asp#hrs.</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: No requirement.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 RN/LPN Health Service Supervisor and For 1-74 beds: if supervisor is LPN, RN must be hired For 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% must be from "qualified nurses" RN/LPNs including time of Health Service Supervisor At least 2 people "capable of rendering nursing service" on duty at all times.</p>	LN .30 DC 2.0 Total 2.30	<p>SAL: <i>IA Administrative Code</i>, Inspections and Appeals [481], Chapter 58 Nursing Facilities Sec. 58.11(2) Nursing Supervision and Staffing. Eff. 9-27-1976.</p> <p>https://dia-hfd.iowa.gov/DIA_HFD_WEB/cmsDocDir/481%20IAC%2058.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 To track legislation, see the Track Legislation page of the Iowa Legislature, General Assembly at: http://www.legis.state.ia.us/Legislation.html. Daily updates.</p>
ID	<p>SUFFICIENT STAFF: No requirement.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN FT (5d/wk) Day If DON occupied with Administration, then 1 RN Assist. DON For 60+ residents: DON only for nursing admin duties 1 Supervising Nurse, RN/LPN and For 1-59 residents: DON may be Supervisory Nurse 1 Charge Nurse, RN/LPN as follows: For 1-59 residents: 1 RN one shift (8 hrs each day shift) & 1 LPN other 2 shifts 7days/wk For 60-89 residents: 1 RN two shifts (Day & Eve) & 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>	RN .36 DC 2.4 Total 2.76	<p>SAL: <i>ID Administrative Code</i>, 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</p>	<p>Current Regulation: Intermediate Care Facility (licensed exclusively as ICF) : 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 including the DON, supervisory nurse and charge nurse. Nursing hours per resident per day may be averaged over the week if the facility has received prior approval from the Licensing Agency to calculate nursing hours in this manner.</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 Idaho State Statutes, search statutes: http://www3.state.id.us/legislat/legtrack.html and for current 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: Staffing shall be based on the needs of the residents.</p> <p>LICENSED STAFF (RN, LPN/LVN) DON's time shall not be included in staffing ratios. 1 DON RN full-time or minimum 36 hours/week; at least 16 hrs on duty between 7am and 7pm For 1-49 beds, DON may provide direct care and included in staff-to-resident ratio calculations For 100+ 1 Asst. DON RN full-time. 1 licensed nurse (RN/LPN) charge nurse on remaining non-DON or Asst DON shifts. If RN and LPN present on same shift, RN is charge nurse 1 RN on shift (8 consec. 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%. Including 20% LPN time; exclude DON and 1 person on duty 24h/7d in each unit</p> <p>Each resident requiring intermediate care shall be provided at least 1.7 hours of nursing/personal care each day, of which at least 20% must be license nurse time.</p>	<p>LN .35</p> <p>DC 2.5</p> <p>Total 2.85</p>	<p>SAL: <i>IL Administrative Code</i> Title 77 Public Health, Ch. 1, Dept. of Public Health, Subch. C, Long-Term Care Facilities, Sec. 300-1230, Pt. 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.</p> <p>Online information: http://www.ilga.gov/mission/jcar/admincode/077/07700300sections.html</p>	<p>Current Regulation: Intermediate Care Facility: 1 licensed nurse (RN/LPN) 24 hours/7days/week and direct care 1.7 hprd* 20% LPN time. If 150+ occupied beds, 1 licensed nurse (RN/LPN) as Asst. DON. If DON or Assist. DON absent, 1 licensed nurse (RN/LPN) as charge nurse.</p> <p>Online Updates: IL Dept. Public Health Administrative Rules Updates: http://www.idph.state.il.us/rulesregs/rules-index.htm IL Legislative Updates: 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...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 hprd LPN to resident ratio (averaged over 1 week, excluding DON)</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .56	<p>SAL: <i>IN Administrative Code</i> 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>http://www.in.gov/legislative/iac/iac_title?iact=410</p>	<p>Current Regulation: SNF/NFs are called Health Facility.</p> <p>OnLine Updates: See General Assembly and State agencies at IN Homepage: http://www.in.gov/apps/lisa/session/billwatch/billinfo</p> <p>Also <i>IN Administrative Code:</i> http://www.in.gov/legislative/iac/</p>
KS	<p>SUFFICIENT STAFF: 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 1 RN at least 8 consecutive hours/day 7d/wk (DON may be included in this requirement) and 1 RN/LPN per nursing unit on Day Shift included in 1 RN/LPN 24 hours/7days/wk If 1 LPN on duty 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 Minimum ratio per unit nursing personnel to residents of 1:30 and at least 2 nursing personnel on duty at all times</p>	LN .48 DC 2.0 Total 2.48	<p>SAL: <i>KS Administrative Regulations, Nursing Facility Regulations</i> 28-39-154 Nursing Services (7) (A). Eff. 11-1-93. Am. 2-21-97.</p> <p>Available online : http://www.kslegislature.org/legsrv-kars/search.do;jsessionid=5ED9B30DE17F68F1378912F440AD3FF4</p>	<p>OnLine Updates: Pending legislation, bill tracking, and legislative texts: http://www.kslegislature.org/legsrv-portal/index.do. The <i>Kansas Register</i> and <i>KS Administrative Regulations</i> are available online: http://www.kslegislature.org/legsrv-kars/search.do</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 provide nursing and related services to attain or maintain the highest practicable physical, mental & psychosocial well-being of each resident. Shall have adequate personnel to meet the needs of the patients on a 24 hour basis.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time Day; may serve as charge nurse with average daily occupancy <60 residents; If DON is facility administrator, add 1 Asst. DON RN Full Time Day) 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. May submit licensed nurse &/or RN waiver</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .30	<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>Online resources: http://www.lrc.state.ky.us/kar/902/020/300.htm http://www.lrc.ky.gov/kar/902/020/026.htm</p>	<p>Current 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 Pending legislation, legislative search, etc., at http://www.lrc.ky.gov/record/08RS/prefiled.htm.</p>
LA	<p>SUFFICIENT STAFF: Consisting of RNs, LPNs, and NAs to provide nursing care to all</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 24hrs/7days</p> <p>DIRECT CARE STAFF 1.5 hprd</p> <p>MEDICAID 2.6 hprd</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 Licensure Standards Secs. 9811 and 9813. Promulgated: January 1998. http://www.dhh.louisiana.gov/offices/publications/pubs-112/NH_Minimum_licensure_01201998.pdf</p>	<p>Current Medicaid Regulation: ICF: 2.35 hprd. [NOTE: Cannot find anything on it]</p> <p>OnLine Updates: State law portal, search codified laws by text or number: http://www.state.la.us/</p> <p>For the <i>LA Administrative Code</i> http://doa.louisiana.gov/osr/lac/lacsublist.htm and the <i>LA Register</i> 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: Appropriate, adequate and sufficient nursing services and 24 hour nursing service</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. DON may be supervisory in single unit facilities, 1 RN/LPN Charge Nurse 24 hrs/7da/wk for each unit Supervisory nurse and Charge nurse may be counted in calculation of licensed personnel.</p> <p>DIRECT CARE STAFF 2.6 hprd with 0.6 licensed nursing personnel - Level 1 2.0 hprd with 0.6 licensed nurses -- Level II</p>	<p>LN .60</p> <p>DC 2.6</p> <p>Total 3.20</p>	<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/docs/dph/regs/105cmr150.pdf</p>	<p>Current Regulation: 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>Current Proposed Legislation: Senate No. 398--Resolve--Creating a Special Commission on Institutional Long-Term Care Services: to recommend a plan for the provision of a seamless transition to a continuum of long term care services for elders and persons with disabilities as part of a reduction of MassHealth licensed nursing home beds using criteria of quality measures such as staffing levels, turnover rate and training options for direct care staff. http://www.mass.gov/legis/bills/senate/185/st00pdf/st00398.pdf</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>

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	
MD	<p>SUFFICIENT STAFF: Supervisory personnel and sufficient number of supportive personnel to provide a min 2 hrs per licensed bed per day, 7 days wk.</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</p> <p>DIRECT CARE STAFF 2.0 hprd 7 days/week (including RN, LPN and supportive personnel and ward clerk's time at 50% and only the documented bedside hours of DON) Minimum 1 nursing service personnel per 25 patients at all times</p>	<p>LN .18</p> <p>DC 2.0</p> <p>Total 2.18</p>	<p>SAL: Code of MD Regulations 10.07.02.12 Eff. 9-97. http://www.dsd.state.md.us/comar/10/10.07.02.12.htm</p>	<p>Current Regulations: 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>Proposed Statutes – Not Passed: HJ 8 calling for "a staffing goal of one nurse for every eight nursing home residents," (Died in Committee Feb 18, 2004) http://mlis.md.us/2004rs/billfile/hj0008.htm</p> <p>OnLine Updates: For pending regulatory changes, the bi-weekly MD Register http://www.dsd.state.md.us/MDRegister/</p> <p>Also Code of Maryland regulations: http://www.dsd.state.md.us/comar/subtitle_chapters/10_Chapters.htm For pending and recently considered legislation, by bill 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: No requirement.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 RN on duty or on call at all times Day: 1 DON RN Full Time included in 1 RN 8 consecutive hrs, 7 d/wk and 1 RN/LPN Charge Nurse Day 7 d/wk 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</p> <p>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 Day 1:5 direct care provider to resident Evening 1:10 Night 1:15 Includes RNs, LPNs, CNAs who provide direct care.</p>	<p>LN .56</p> <p>DC 2.93</p> <p>Total 3.49</p>	<p>SAL: Code of ME Rules 10-144 CMR 110 Ch. 9 Sec. 9.A.3 and 9.A.4. ME Sec of State, Rules By Department: http://www.maine.gov/so/cec/rules/10/ch110.htm SC: Public Law 1999 Ch. 731 Sec. BBBB -11 Passed & Signed 4-25-00. Eff. 10-1-00. http://janus.state.me.us/legis/ros/lom/lom119th/5pub701-750/5Pub701-750-110.htm</p>	<p>Previous Regulation: Direct care ratios were: Day 1:5 Eve 1:10 and Night 1:18.</p> <p>New Statute: LD 981--Supervision of Nursing Support Staff-A Certified Nurse Practitioner delegating certain activities pertaining to advance practice registered nursing to employees or support staff is liable for the activities of those persons. (http://www.mainelegislature.org/legis/bills/billtexts/ld098101.asp)</p> <p>OnLine Updates: Dept. of Health & Human Services (DHHS) Homepage: http://www.maine.gov/dhhs/ And DHHS Rule Updates: http://www.maine.gov/dhhs/dlrs/rulemaking/index.shtml ME legislative updates & search: http://www.mainelegislature.org/legis/bills/</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	
MI	<p>SUFFICIENT STAFF: 24 hour nursing care and services sufficient to meet the needs</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 Day: 1:8 Eve 1:12 Night 1:15 For 30+ beds, exclude time of DON.</p>	<p>LN .24</p> <p>DC 2.25</p> <p>Total 2.31</p>	<p>SC: <i>MI Compiled Laws, Public Health Code "Act 368 of 1978" Sec. 333.21720a(2) Eff. 3-30-79, 1-1-80.</i> 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(zhnvpk55hziqtk4554icfiaz))/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: Sufficient numbers & adequate to meet the needs</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 Must designate a nurse to be responsible for the duties of the DON services related to the provision of resident services in the director's absence. RN on call during all hours when an RN is not on duty.</p> <p>DIRECT CARE STAFF 1 "responsible person" on duty at all times 2.0 hprd. For 60+ licensed beds: exclude DON hours. Includes all nurses and NAs for any 24 hour period</p> <p>For nursing homes not certified to participate in the medical assistance program, a minimum of two hours of nursing personnel per resident per 24 hours.</p>	<p>LN .08</p> <p>DC 2.0</p> <p>Total 2.06</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><i>MN Rules</i> Pt. 4655.5100 <i>et seq.</i> http://www.revisor.leg.state.mn.us/arule/4655/5100.html</p> <p>MN Rules Pt. 4658.0510 Nursing Personnel http://www.revisor.leg.state.mn.us/arule/4658/0510.html</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>

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	
MO	<p>SUFFICIENT STAFF: Sufficient numbers to enable each resident 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</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .24	<p>SAL: <i>MO Code of State Regulation</i> 19 CSR 30-85 (34)-(38) Eff. 1-30-04.</p> <p>http://www.sos.mo.gov/adrules/csr/current/19csr/19c30-85.pdf</p>	<p>Current Regulation: 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>
MS	<p>SUFFICIENT STAFF: No requirement.</p> <p>LICENSED STAFF (RN, LPN/ LVN) 1 DON RN Full Time Day (40hrs/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 on each station and 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>DIRECT CARE STAFF 2.8 hprd for licensed and unlicensed staff</p>	<p>LN .54</p> <p>DC 2.8</p> <p>Total 2.8</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 http://www.msdh.state.ms.us/msdhsite/static/resources/119.pdf (Adopted Aug 8, 2007 & became effective September 7, 2007)</p>	<p>OnLine Updates: http://www.mississippi.gov/frameset.jsp?URL=http://www.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: No requirement.</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 RN 8 hours 7days/wk For 41+ beds: 1 RN Full Time DoN included in For 41-70 beds: Add 1 LPN day For 51-75 beds: 1 RN eve For 76-80 beds : 1 RN and 2 LPNs day, 1 RN and 1LPN eve, 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+ beds up to 90 beds (for up to 56 NA hours). 52 NA hours for 91-95 beds 56 NA hours for 96-100 beds</p> <p>4 NA hours for 16+ beds on Eve increasing in increments of 4 NA hours for each additional 5 beds up to 40 NA hours for 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 100 beds</p>	<p>LN .64</p> <p>NA 1.2</p> <p>Total 1.84</p>	<p>SAL: <i>Administrative Rules of MT</i> 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 http://arm.sos.mt.gov/37/37-26085.htm</p>	<p>Current Regulation: Licensed requirements: For 41+ beds: add 1 LN on days For 4-50 beds: add 1 LPN on eve. For 51-100 beds: add-1 RN on eve. For 4-70 beds: add 1 LPN on nights For 71-100 beds: add 1 RN on nights</p> <p>OnLine Updates: ARM (Admin Rules of Montana) http://arm.sos.mt.gov Legislative Updates: http://laws.leg.mt.gov/pls/laws07/law0203w\$.startu p</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 For 1-59 occupancy: DON may be charge nurse 1 RN 8 consecutive hrs 7d/wk included in 1 RN/LPN 24 hours/7d/wk</p> <p>DIRECT CARE STAFF 2.1 hprd including licensed staff 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>	LN .24	<p>SAL: NC <i>Administrative Code</i> Title 10 Health and Human Services, Ch. 03H Facility Services- Rules for the Licensing of Nursing Homes, 2300, Nurse Staffing Requirements (d) Eff. 1-1-96. 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: On duty at all times to meet the nursing needs</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>	LN .32	<p>SAL: ND <i>Administrative Code</i> http://www.legis.nd.gov/information/rules/admincode.html</p> <p><i>ND Administrative Code</i> State Department of Health Regulation 33-07-03.2-14. Eff. 7-96.</p>	<p>Online Updates: ND legislative branch homepage: http://www.legis.nd.gov/information/bills/ Information about agency rule-making (administrative law): 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: sufficient number of staff to meet the resident population's requirements for assistance or provision of 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>	LN .32	<p>SAL: NE Agency Rules for Health and Human Services, Regulation and Licensure, Eff. 2/27/2007, SNF-NF-ICF 175 NAC 12 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: <i>Agency Rules and Regulations:</i> http://www.sos.state.ne.us/rules-and-regs/regsearch <i>Legislative Updates:</i> http://www.unicam.state.ne.us/web/public/research</p>
NH	<p>SUFFICIENT STAFF: Adequate 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>	LN .24	<p>SAL: <i>NH Code of Administrative Rules;</i> Ch. He-P 803.03 Personnel and Staffing http://www.gencourt.state.nh.us/rules/he-p800.html</p>	<p>OnLine Updates: <i>Legislative Updates:</i> http://www.gencourt.state.nh.us/index/ Division of Administrative Rules: http://www.gencourt.state.nh.us/Rules/listagencies.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>SUFFICIENT STAFF: No requirement.</p> <p>LICENSED STAFF: (RN, LPN/LVN) 1 DON RN Full Time included in 1 RN alternate DoN when regular DoN absent (in writing) 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</p> <p>DIRECT CARE STAFF 2.5 hprd* exclude DON, but include DON's direct care hours in facilities with more that FT DON; 20% of 2.5 hprd provided by RN/LPN *Plus additional hprds for specified resident conditions or treatments.</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. 25.1-25.4 [8:39-25.1-25.4]. Eff. 11-21-1994; Expired 11-21-1999. Republished without substantial change 1-2001; New Effect.: 2/15/2007; Expir.: 2/15/2012 http://www.state.nj.us/health/healthfacilities/documents/ltr/regnjac839.pdf</p>	<p>OnLine Updates: For NJ Legislative Updates: http://www.njleg.state.nj.us/bills/BillsByKeyword.asp For NJ Administrative Code updates: http://www.state.nj.us/health/healthfacilities/rules.shtml</p>
NM	<p>SUFFICIENT STAFF: To care for specific needs</p> <p>LICENSED STAFF: (RN, LPN/LVN) 1 DON RN Full Time Day included in (DON may be Charge Nurse) 1 RN/LPN Charge Nurse 24 hrs/7d/wk</p> <p>DIRECT CARE STAFF 2.5 hprd [7 day average] For example: D 1:7; E 1:10; N 1:12. include only direct care hrs of DON, Asst. DON, Nursing Department Director. At least 1 nursing staff person on duty at all times.</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 Requirements for Long Term Care Facilities. Eff: 8-31-2000 http://www.nmcpr.state.nm.us/nmac/parts/title07/07.009.0002.htm</p>	<p>OnLine Updates: Statutes, Administrative Code, and pending legislation: http://legis.state.nm.us/lcs/fileExists/BillFinderSubject/SubjectIndex07.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	
NV	<p>SUFFICIENT STAFF: To provide nursing care and to attain and maintain the highest practicable physical, mental and psychosocial well-being of each patient in the facility</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON 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>	LN .32	<p>SAL: NV <i>Administrative Code, Regulations of State Board of Health, Ch. 449, Sec. 59 and Secs. 74517 and 74519</i> Eff: 9-27-1999. http://www.leg.state.nv.us/NAC/NAC-449.html THEN GO TO: http://www.leg.state.nv.us/NAC/NAC-449.html#NAC449Sec74517</p>	<p>OnLine Updates: Administrative Code: http://www.leg.state.nv.us/NAC/CHAPTERS.HTML</p> <p>Legislative Updates: http://www.leg.state.nv.us/23rdSpecial/Reports/</p>
NY	<p>SUFFICIENT STAFF: To provide nursing and related services, to attain well-being for 24 hours/day</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time included in 1 RN 8 consecutive hours/7d/wk For 1-60 occupancy: DON may serve as charge Nurse and 1 RN/LPN Charge Nurse 24 hours/7d/wk or 1 Charge Nurse for each unit for each tour of duty</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .56	<p>SAL: NY Code Revised <i>Regulations, Title 10 Health, Sec. 415.13 Nursing Services</i> Eff: 1-13-93, Reissued 7-95, Revised 3-31-97. http://w3.health.state.ny.us/dbspace/NYCRR10.nsf/56cf2e25d626f9f785256538006c3ed7/8525652c004980f8?OpenDocument</p>	<p>OnLine Updates: <i>NY State Dept. of Health Laws and Regulations Changes:</i> http://www.health.state.ny.us/regulations/</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: Sufficient staff on each shift to meet the needs of the residents</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN FT (between 6am&6pm) 5D/wk); Acting DoN must be RN; 1-59 beds, DoN may be counted in</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) 1:15 ratio of 1 NAs to 15 residents 24 hrs/7day/wk</p>	<p>RN .20</p> <p>NA 2.0</p> <p>Total 2.75</p>	<p>SAL: OH Administrative Code 3701-17-08 Eff. 1-1-74; 12-21-92; 10-20-01 Nursing Home Regulations http://codes.ohio.gov/oac/3701-17</p> <p>Also: OH Revised Code, Title 37--XXXVII--Health-Safety-Morals, Chapter 3721 Nursing Homes; Residential care Facilities: 3721.01--Nursing home and residential care facility definitions and classifications http://codes.ohio.gov/orc/3721</p>	<p>OnLine Updates: OH Code changes: http://codes.ohio.gov/oac/3701-17 Also, OH Revised Code (ORC): http://codes.ohio.gov/orc/3721</p> <p>OH General Assembly: Legislative Updates/Bills: http://www.legislature.state.oh.us/search.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	
OK	<p>SUFFICIENT STAFF: Sufficient, adequately trained staff shall be on duty, 24 hours a day, to meet the needs of all residents residing in the facility without regard to the direct staff ratios</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, 1 RN 8h/wk consultant) 1 RN/LPN on duty at all times</p> <p>DIRECT CARE STAFF At least 1 certified medication aide on duty when any shift is not covered by a licensed nurse At least 2 direct care staff persons shall be on duty and awake at all times regardless of the number of residents On or after Sept.1, 2003: Minimum direct-care-staff-to-resident-ratios: 7am-3pm 1:6; 3pm-11pm 1:8; 11pm-7am 1:15. Facilities can vary the start times for the 8 hr shifts by 1 hr before or 1 hr after the above designated times without overlapping shifts. If implement flexible staff scheduling, must maintain 2.86 hrs of direct-care-service per resident per day and cannot fall below 1:16 and at least 2 direct care staff on duty & awake at all times. Lists progressive increases in staffing (based on reimbursements) from 2.86 to 3.2 to 3.8 to 4.1 hrs/day/occupied bed.</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: http://www.oar.state.ok.us/oar/codedoc02.nsf/frmMain?OpenFrameSet&Frame=Main&Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dtmmak31ctijjrgcln50ob7ckj42tbkdt374obdcli00</p> <p>For 63:1-1925.2 of the Nursing Home Care Act Title 63 of the Oklahoma Statutes (updated 11/1/05): http://www.health.state.ok.us/PROGRAM/condi v/675act.pdf</p>	<p>OnLine Updates: Oklahoma Administrative Code and Register: http://www.oar.state.ok.us/oar/codedoc02.nsf/frmMain?OpenFrameSet&Frame=Main&Src=_75tnm2shfcdnm8pb4dthj0chedppmcbq8dtmmak31ctijjrgcln50ob7ckj42tbkdt374obdcli00</p> <p>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: Sufficient in quantity, quality to provide care to achieve highest degree of function</p> <p>LICENSED STAFF (RN, LPN/LVN) RN hour per resident per week. For 41+ beds: exclude hrs of RN administrator 1 DON RN and 1 RN/LPN Charge Nurse 24 hr/7d/wk including 1 RN Charge Nurse Day 8 consec hrs (7am -11pm) For 1-60 residents: DON may serve as Charge Nurse</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 1:10 7am-3pm Day 1:15 3pm-11pm Eve 1:25 11pm-7am Night</p> <p>DIRECT CARE STAFF 2 Nursing care staff on duty at all times</p>	<p>LN .32</p> <p>NA 1.65</p> <p>Total 1.97</p>	<p>SAL: <i>OR Administrative Rules</i>, 411-086-0100 Eff. 08/01/2004.</p> <p>http://www.dhs.state.or.us/policy/spd/rules/411_086.pdf</p>	<p>OnLine Updates: Pending legislation and legislature homepage (Oregon Revised Statutes and Oregon Laws): http://www.leg.state.or.us/bills_laws/</p> <p>For <i>OR Administrative Rules</i> and Oregon Bulletin, notices of proposed rulemaking: http://www.dhs.state.or.us/policy/spd/alpha.htm</p>
PA	<p>SUFFICIENT STAFF: Sufficient numbers on 24-hour basis to meet the needs</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN FT (1 per facility) and 1 RN Charge Nurse 24hrs/7d/wk For 1-59 residents: 1RN D & E; 1 RN/LPN N If LPN is Charge Nurse, RN must be on call For 60-150 residents: 1 RN 24hr/7d/wk; For 151-250 residents: 1 RN & 1 LPN 24 hr/7d; For 251-500 residents: 2 RNs 24hr/7d For 501-1,000 residents: 4 RN D; 3 RN E&N For 1001+ residents: 8 RN D; 6 RN E&N.</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 1:20 nursing staff employees to residents</p> <p>DIRECT CARE STAFF 2.7 hprd</p>	<p>RN .30</p> <p>DC 2.7</p> <p>Total 3.10</p>	<p>SAL: <i>PA Administrative Code Sec. 211.12</i> Nursing Services Eff: 9-1-1975; Am. 7-1-87; Am (e) and (f) 7-1-1988; Am. 7-24-99 http://www.pacode.com/secure/data/028/chapter211/s211.12.html</p>	<p>OnLine Updates: http://www.pabulletin.com/ Also: http://www.pacode.com/ PA Legislation/Bills: http://www.legis.state.pa.us/cfdocs/legis/home/session.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	
RI	<p><u>SUFFICIENT STAFF:</u> To meet the needs 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 1-29 beds: DON may act as Charge Nurse</p> <p><u>DIRECT CARE STAFF</u> 1 individual certified in basic life support 24hrs/7d/wk</p>	RN .30	<p>SAL: <i>RI Department of Health, Rules and Regulations for Licensing of Nursing Facilities (R23-17-NF) Part III, Sec. 24.0 Eff. 11-07-2006.</i></p> <p>http://www2.sec.state.ri.us/dar/regdocs/released/pdf/DOH/4215.pdf</p>	<p><i>OnLine Updates:</i> For pending regulations: http://www.sec.state.ri.us/rules/ For pending legislation: http://www.rilin.state.ri.us/Genmenu/</p>
SC	<p><u>SUFFICIENT STAFF:</u> No requirement.</p> <p><u>LICENSED STAFF</u> (RN, LPN/LVN) 1 DON RN Full Time and For 1-22 beds: include DON in licensed staff 1 Licensed Nurse per station, per shift For 45+ residents per station: 2 LNs per shift 1 RN per facility 24hrs/7days OR on call</p> <p><u>NURSE ASSISTANT STAFF</u> (NA/CNA) Shift 1 (7am-3pm)*1:9 Shift 2 (3pm-11pm)1:13 Shift 3 (11pm-7am)*1:22</p>	<p>LN .54</p> <p>NA 1.87</p> <p>Total 2.41</p>	<p>SAL & SC: <i>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.</i></p> <p>http://www.scdhec.gov/administration/regs/docs/61-17.pdf</p>	<p><i>OnLine Updates:</i> Legislative Information: http://www.scstatehouse.net/cgi-bin/web_subject.exe</p> <p>SC Dept. Health & Environmental Control updates: http://www.scdhec.gov/administration/regs/</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	
SD	<p>SUFFICIENT STAFF: Adequate to meet total needs of patients at all times</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN FT and 1 RN/LPN Charge Nurse 24 hours/7days/wk For 1-59 residents: DON may be Charge Nurse and ratio of LNs to NAs* sufficient to assure professional guidance.</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .30	<p>SC: <i>SD Rules</i> 44:04:06:09. Eff: 11-7-04. http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=44:04:06</p>	<p>OnLine Updates: Administrative Rules Updates: http://legis.state.sd.us/rules/RulesList.aspx</p> <p>Legislative Bills/Updates: http://legis.state.sd.us/sessions/2007/keyword.htm</p>
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 licensed nursing personnel time</p> <p>DIRECT CARE STAFF 2.0 hprd including 0.4 hprd of licensed personnel time and at least 2 nursing personnel on duty each shift</p>	<p>LN .40</p> <p>DC 2.0</p> <p>Total 2.0</p>	<p>SAL: <i>Rules of Tennessee Department of Health, Div. of Health Care Facilities, Ch. 1200-8-6 "Standards for Nursing Homes" -.06-(4)(a)(b)(d) revised July 2007</i> http://state.tn.us/sos/rules/1200/1200-08/1200-08-06.pdf</p>	<p>OnLine Updates: Current and pending regulations: http://state.tn.us/sos/rules/index.htm;</p> <p>Legislative Updates: http://www.legislature.state.tn.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	
TX	<p>SUFFICIENT STAFF: On a 24-hour basis to provide care to all</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time 40 hrs/wk included in For 1-59 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 licensed care hours or 1:20 Licensed Nurse* to resident every 24 hrs Exclude administrative time of licensed staff and DON of a multi level facility-</p> <p>DIRECT CARE STAFF No minimum requirement</p>	LN .40	<p>SAL: <i>TX Administrative Code</i> 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 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>Enabled by <i>TX Health and Safety Code</i> Title 40 Health Facilities, Ch. 242.037. Eff. 9-1-89; Amendments through 9-1-99.</p> <p>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/rules/tacupdates/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	
UT	<p>SUFFICIENT STAFF: No requirement.</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>From UAC R432-200-15 for "Small Healthcare Facility (4-16 beds) : any facility that provides nursing care shall provide at least two hours (120 minutes) of nursing-staff coverage (RN + LPN + Aides) per resident per 24 hours of which 20 percent or 24 minutes per resident shall be provided by licensed staff (RN + LPN).</i></p>	LN .30	<p>SAL: <i>UT Administrative Code R432-150-5</i> 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/main/index.php?module=Pagesetter&func=viewpub&tid=1&pid=24</p> <p><i>Legislative Updtates/Bills:</i> http://le.utah.gov/asp/billsintro/index.asp</p>
VA	<p>SUFFICIENT STAFF: In sufficient numbers to meet the assessed needs</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time 5d/wk and For 1-59 beds: DON may be Nursing Supervisor 1 [RN/LPN] Nursing Supervisor</p> <p>DIRECT CARE STAFF Qualified RNs/LPNs and CNAs on all shifts 7d/wk No minimum requirement</p>	LN .14	<p>SAL: <i>VA Administrative Code 12 VAC5-371-200, 210, 220.</i> Eff. 7-1-97; Rev. 1/11/2006 Nursing Facility Regulations: http://www.vdh.state.va.us/OLC/Laws/document%20nursingHomes/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><i>Code of Virginia Updates:</i> http://leg1.state.va.us/000/src.htm</p> <p><i>VA Administrative Code:</i> http://leg1.state.va.us/cgi-bin/legp504.exe?000+men+SRR</p> <p><i>Legislation/Bills:</i> 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 provide services to attain well-being</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON RN Full Time included in For 1-59 occupancy: DON may be Charge Nurse 1 RN 8 consec. Hours/7d/wk and 1 RN/LPN Charge Nurse 24 hrs/7d/wk</p> <p>NURSE ASSISTANT STAFF (NA/CNA) 24-hour other nursing personnel services 2.0 hprd LNA (CNA)</p> <p>DIRECT CARE STAFF 3.0 hprd of which 2.0 hprd by LNA (CNA)</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://www.dad.state.vt.us/Regulations/nhregfinal.html#QualityOfCare</p>	<p>OnLine Updates: <i>Dept Aging & Disabilities Rules Update:</i> http://www.dad.state.vt.us/Regulations/nhregfinal.html#QualityOfCare</p> <p><i>VT Legislative/Bills Update:</i> http://www.leg.state.vt.us/database/database2.cfm</p>
WA	<p>SUFFICIENT STAFF: Sufficient services to attain well-being</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 directly supervising care and 1 RN/LPN 8hrs/7d/wk "directly supervising care"</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>LN .30</p>	<p>SAL: WA Administrative Code, Ch. 388-97-115 Nursing Services. Eff. 10-16-94; 3-26-00. http://apps.leg.wa.gov/WAC/default.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> <p>Also WA Register: http://www.leg.wa.gov/codereviser/washington%20state%20register/</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: Shall be adequate nursing service personnel assigned to care for the specific needs of each resident on each tour of duty. Those personnel shall be briefed on the condition & appropriate care 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 For 60-74 residents: DON RN & 1 RN Charge Nurse Day For 75-99 residents: add 1 RN Charge Nurse 7 days on a non-day tour of duty For 100+ residents: DON and 1 RN 24hrs/7days If LPN is charge nurse, then RN must be in facility or on call For intensive skilled nursing care, 3.25 hprd, of which 0.65 hr shall be provided by a RN/LPN For skilled nursing care, 2.5 hprd, of which a minimum of 0.5 hr shall be provided by a RN/LPN For intermediate or limited nursing care, 2.0 hprd, of which a minimum of 0.4 hr shall be provided by a RN/LPN</p> <p>DIRECT CARE STAFF No minimum requirement</p>	<p>LN .50</p> <p>DC 2.5</p> <p>Total 2.5</p>	<p>SC & SAL: <i>WI Statutes</i> 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.</p> <p>http://www.legis.state.wi.us/statutes/Stat0050.pdf</p> <p>http://www.legis.state.wi.us/rsb/code/hfs/hfs132.pdf</p>	<p>Current Regulation: 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>

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	
WV	<p>SUFFICIENT STAFF: Sufficient 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) For 60+ beds: exclude DON</p>	<p>LN .54</p> <p>DC 2.25</p> <p>Total 2.31</p>	<p>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”.(Eff. 7-01-07). http://www.wvsos.com/csrdocs/worddocs/64-13.doc</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> <p>64 CSR 8.14 “Staffing shall not, other than during short unforeseeable emergencies, be less than an average of two and twenty five one hundredths (2.25) hours of nursing personnel time per resident per day. Minimum hours of resident care personnel to residents are outlined in table 64-13.A of this rule. Facilities with fewer than fifty-one (51) beds are staffed at higher hours as outlined in table 64-13.A. of this rule.”</p>
WY	<p>SUFFICIENT STAFF: "sufficient number to meet total needs"</p> <p>LICENSED STAFF (RN, LPN/LVN) 1 DON 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>LN .56</p> <p>DC 2.25</p> <p>Total 2.61</p>	<p>SAL: WY Rules and Regulations, Department of Health, Ch. 11, Sect 9 Eff. 5/26/78. http://soswy.state.wy.us/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/CALENDAR/SCHED2.HTM ALSO http://legisweb.state.wy.us/leginfo/exorders/exorders.htm</p>

Source: State statutes and regulations were collected from the Internet . Where data were not available, telephone interviews we held with state Licensing and Certification officials, who were asked to send copies of their statutes, regulations, and policies on staffing. Where responses were unclear, follow-up telephone calls were made to officials for clarification.

NURSING HOME STAFFING STANDARDS IN STATE STATUTES AND REGULATIONS

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.

FT = Works fulltime. PT = Works part time.

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.