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Chapter 61@ DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

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Subchapter 61-17@ STANDARDS FOR LICENSING NURSING HOMES

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Sec2 61-17.600@ STAFF AND TRAINING

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Section 61-17.600.605@ Staff (I)

61-17.600.605 Staff (I)

A.

Licensed Nursing Staff. An adequate number of licensed nurses shall be on duty to meet the total nursing needs of residents. Licensed nursing staff shall be assigned to duties consistent with their scope of practice as determined through their licensure and educational preparation. 1. The facility shall designate a registered nurse as a full-time Director of Nursing. Another registered nurse, who is employed by the licensee, shall be designated in writing to act in his or her absence. In facilities with a licensed bed capacity of twenty-two (22) or fewer beds, the Director of Nursing may be included in the requirements of Section 605.A.2. 2. There shall be at least one (1) licensed nurse per shift for each staff work area. If there are more than forty-four (44) residents per staff work area, there shall be two (2) licensed nurses on first shift and at least one (1) licensed nurse on second and third shift. 3. At least one (1) registered nurse shall be on duty in the facility, or on call, whenever residents are present in the facility. 4. An Administrator who is a registered nurse or licensed practical nurse shall not be included in meeting the staffing requirements of this section.

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There shall be at least one (1) licensed nurse per shift for each staff work area. If there are more than forty-four (44) residents per staff work area, there shall be two (2) licensed nurses on first shift and at least one (1) licensed nurse on second and third shift.

3.

At least one (1) registered nurse shall be on duty in the facility, or on call, whenever residents are present in the facility.

4.

An Administrator who is a registered nurse or licensed practical nurse shall not be included in meeting the staffing requirements of this section.

B.

Nonlicensed Nursing Staff. The required number of nurse aides and other nonlicensed nursing staff shall be determined by the number of residents assigned to beds at the facility. Additional staff members shall be provided if the minimum staff requirements are inadequate to provide appropriate care and services to the residents of a facility. 1. Nonlicensed nursing staff shall be provided to meet at least the following resident-to-staff ratio schedule: a. Nine to one (9 to 1) for shift one (1); b. Thirteen to one (13 to 1) for shift two (2); c. Twenty-two to one (22 to 1) for shift three (3). 2. When nonstaff members are utilized as sitters or attendants, they shall comply with facility policies and procedures.

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b.

Thirteen to one (13 to 1) for shift two (2);

c.

Twenty-two to one (22 to 1) for shift three (3).

2.

When nonstaff members are utilized as sitters or attendants, they shall comply with facility policies and procedures.

C.

In those facilities utilizing two (2) twelve-hour (12-hour) shifts, both the licensed and nonlicensed staffing ratios for shift one (1) apply to the twelve-hour (12-hour) shift occurring primarily during the day, and both the licensed and nonlicensed staffing ratios for shift three (3) apply to the twelve-hour (12-hour) shift occurring primarily during the night.

D.

In settings and on a nonroutine basis where there is more than one (1) type of level of care, for example, community residential care, independent living, staff members from the nursing home may temporarily provide assistance in special situations to one (1) or more of the other areas, but at no time may staffing levels in any area of the nursing home fall below minimum licensing standards or diminish the care and services provided.