

§482.62(d)(2) . . . There must be adequate numbers of registered nurses, licensed practical nurses, and mental health workers to provide the nursing care necessary under each patient's active treatment program.

Interpretive Guidelines §482.62(d)(2)

The evaluation of sufficient numbers and level of RNs, LPNs and mental health workers is based on the patient characteristics as seen in structured observations of patients in the sample and other patients in the hospital, patient interviews, and as evidenced in medical records and other data related to patients (e.g. incident reports, seclusion/restraint reports). Patient care assignments should be appropriate to the skills and qualifications of the nursing personnel providing patient care.

There should be evidence that all nursing personnel have education, experience and/or training in psychiatric care. Mental health workers spend the majority of their workday interacting with patients. Expect to see evidence that they are receiving on-going supervision and training. Mental health workers should be assigned patient care duties and therapeutic modalities that reflect their educational level, psychiatric training, and experience.

Survey Procedure §482.62(d)(2)

The nursing staffing patterns should be reviewed on a sample of approximately 25% of the certified wards. The staffing, including levels of nursing personnel, should be reviewed for the day(s) of the survey and evaluated based on the level of needs presented by the patients. Additional staffing patterns shall be reviewed if a problem or concern is evidenced. Decisions regarding extent of additional data (number of wards and dates) to be reviewed shall be based on the degree of problem/concern. Patient need assessment/patient acuity shall be reviewed for any wards as deemed necessary based on problems/concerns found in the sampling review.

If your observations and/or interviews indicate a staffing problem, you may want to consider the following variables in assessing adequacy of nursing personnel coverage:

1. Organization and types of services provided to patients by the nursing department;
2. Number and levels of nursing care needs of patients, including average length of stay, acuity of patients and nursing care requirements;
3. Number and levels of nursing personnel based on the roles and functions required of nursing;
4. Number of suicidal/assaultive patients;
5. Seclusion/restraint incidents;
6. Number of admissions and discharges;
7. Number and type of accidents and/or injuries;
8. Amount and complexity of medication regimens;
9. Medication errors;
10. Use of P.R.N. (as needed) medications;
11. Medical (physical) procedures;
12. Assignment and utilization of “pool” nursing personnel (those staff who are hired through a contract service and are not employees of the hospital). Contractual staff should receive orientation and training necessary for assigned functions, and should be supervised by employees of the hospital;
13. Availability of RNs to supervise/consult with nursing/non-nursing personnel about patient care;
14. Availability of RNs to assess and implement care in crisis situations;
15. Availability of RNs to interact with patients in structured activities; and
16. Involvement of patients with personnel.