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Title 22@ Social Security

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Division 5@ Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies

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Chapter 3@ Skilled Nursing Facilities

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Article 3@ Required Services

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Section 72329@ Nursing Service - Staff

## **72329 Nursing Service - Staff**

### **(a)**

Nursing service personnel shall be employed and on duty in at least the number and with the qualifications determined by the Department to provide the necessary nursing services for patients admitted for care. The Department may require a facility to provide additional staff as set forth in Section 72501(g).

### **(b)**

Facilities licensed for 59 or fewer beds shall have at least one registered nurse or a licensed vocational nurse, awake and on duty, in the facility at all times, day and night.

### **(c)**

Facilities licensed for 60 to 99 beds shall have at least one registered nurse or licensed vocational nurse, awake and on duty, in the facility at all times, day and night, in addition to the director of nursing services. The director of nursing service shall not have charge nurse responsibilities.

### **(d)**

Facilities licensed for 100 or more beds shall have at least one registered nurse, awake and on duty, in the facility at all times, day and night, in addition to the director of nursing service. The director of nursing service shall not have charge nurse responsibilities.

### **(e)**

Nursing stations shall be staffed with nursing personnel when patients are housed in the nursing unit.

**(f)**

Each facility shall employ sufficient nursing staff to provide a minimum daily average of 3.0 nursing hours per patient day.(1) Facilities which provide care for mentally disordered patients and in which psychiatric technicians provide patient care shall meet the following standards: (A) If patients are not certified for special treatment programs, facilities shall employ sufficient staff to provide a minimum daily average of 3.0 nursing hours per patient day. (B) For patients certified for special treatment programs, facilities shall employ sufficient staff to provide a minimum daily average of 2.3 nursing hours per patient day for each patient certified to the special treatment program, exclusive of additional staff required to meet the staffing standards of the special treatment program.

**(1)**

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If patients are not certified for special treatment programs, facilities shall employ sufficient staff to provide a minimum daily average of 3.0 nursing hours per patient day.

**(B)**

For patients certified for special treatment programs, facilities shall employ sufficient staff to provide a minimum daily average of 2.3 nursing hours per patient day for each patient certified to the special treatment program, exclusive of additional staff required to meet the staffing standards of the special treatment program.

**(g)**

Staffing for a distinct part intermediate care unit in a skilled nursing facility: (1)

Units of less than 50 intermediate care beds shall not be required to provide licensed personnel in addition to those provided in the skilled nursing facility unless the Department determines through a written evaluation that additional licensed personnel are necessary to protect the health and safety of patients. (2)

Units of 50 or more intermediate care beds shall provide a registered nurse or licensed vocational nurse employed 8 hours on the day shift, 7 days per week in the unit. (3) For purposes of this section intermediate care beds that are licensed as such by the Department shall not be included for establishing licensed nurse staffing as required in Section 72329(f)(1) if the unit is used exclusively for intermediate care patients.

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Department shall not be included for establishing licensed nurse staffing as required in Section 72329(f)(1) if the unit is used exclusively for intermediate care patients.

**(h)**

This section shall become inoperative upon the operative date of Section 72329.1.