Subchapter VI - Services

HFS 132.62 Nursing services.

(1) DEFINITIONS.

(a) “Nursing personnel” means nurses, nurse aides, nursing assistants, and orderlies.

(b) "Ward clerk" means an employee who performs clerical duties of the nursing personnel.

(2) NURSING ADMINISTRATION.

(a) Director of nursing services in skilled care and intermediate care facilities.

1. ‘Staffing requirement.’ Every skilled care facility and every intermediate care facility shall employ a full−time director of nursing services who may also serve as a charge nurse in accordance with par. (b).

2. ‘Qualifications.’ The director of nursing services shall:

   a. Be a registered nurse; and

   b. Be trained or experienced in areas such as nursing service administration, restorative nursing, psychiatric nursing, or geriatric nursing.

3. ‘Duties.’ The director of nursing services shall be responsible for:

   a. Supervising the functions, activities and training of the nursing personnel;

   b. Developing and maintaining standard nursing practice, nursing policy and procedure manuals, and written job descriptions for each level of nursing personnel;

   c. Coordinating nursing services with other resident services;

   d. Designating the charge nurses provided for by this section;

   e. Being on call at all times, or designating another registered nurse to be on call, when no registered nurse is on duty in the facility; and

   f. Ensuring that the duties of nursing personnel shall be clearly defined and assigned to staff members consistent with the level of education, preparation, experience, and licensing of each.

(b) Charge nurses in skilled care facilities and intermediate care facilities.
1. ‘Staffing requirement.’ A skilled nursing facility shall have at least one charge nurse on duty at all times, and:

a. A facility with fewer than 60 residents in need of skilled nursing care shall have at least one registered nurse, who may be the director of nursing services, on duty as charge nurse during every daytime tour of duty;

b. A facility with 60 to 74 residents in need of skilled nursing care shall, in addition to the director of nursing services, have at least one registered nurse on duty as charge nurse during every daytime tour of duty;

c. A facility with 75 to 99 residents in need of skilled nursing care shall have, in addition to the director of nursing services, at least one registered nurse on duty as charge nurse during every daytime tour of duty. In addition, the facility shall have at least one registered nurse on duty as charge nurse every day on at least one other non−daytime tour of duty.

d. A facility with 100 or more residents in need of skilled nursing care shall have, in addition to the director of nursing services, at least one registered nurse on duty as charge nurse at all times.

e. An intermediate care facility shall have a charge nurse during every daytime tour of duty, who may be the director of nursing.

2. ‘Qualifications.’ Unless otherwise required under this paragraph, the charge nurses shall be registered nurses or licensed practical nurses, and shall have had specialized training, or be acquiring specialized training, or have had experience in areas such as nursing service administration, restorative nursing, psychiatric nursing, or geriatric nursing.

3. ‘Duties.’

a. The charge nurse, if a registered nurse, shall supervise the nursing care of all assigned residents, and delegate the duty to provide for the direct care of specific residents, including administration of medications, to nursing personnel based upon individual resident needs, the facility’s physical arrangement, and the staff capability.

b. The charge nurse, if a licensed practical nurse, shall manage and direct the nursing and other activities of other licensed practical nurses and less skilled assistants and shall arrange for the provision of direct care to specific residents, including administration of medications, by nursing personnel based upon individual resident needs, the facility’s physical arrangement, and the staff capability. A licensed practical nurse who serves as a charge nurse shall be under the supervision and direction of a registered nurse who is either in the facility or on call.

(c) Nurses in intermediate care facilities.

1. An intermediate care facility with fewer than 60 residents shall have at least one registered nurse or one licensed practical nurse on duty during every daytime tour of duty. The registered nurse may be the director of nursing services in accordance with par. (a).
2. An intermediate care facility with 60 or more residents shall have at least one registered nurse on duty during every daytime tour of duty. The registered nurse may be the director of nursing services in accordance with par. (a).

(3) NURSE STAFFING. In addition to the requirements of sub. (2), the following conditions shall be met:

(a) Total staffing. Each nursing home, other than nursing homes that primarily serve people with developmental disabilities, shall provide at least the following hours of service by registered nurses, licensed practical nurses or nurse’s assistants:

1. For each resident in need of intensive skilled nursing care,

3.25 hours per day, of which a minimum of 0.65 hour shall be provided by a registered nurse or licensed practical nurse.

2. For each resident in need of skilled nursing care, 2.5 hours per day, of which a minimum of 0.5 hour shall be provided by a registered nurse or licensed practical nurse.

3. For each resident in need of intermediate or limited nursing care, 2.0 hours per day, of which a minimum of 0.4 hour shall be provided by a registered nurse or licensed practical nurse.

(b) Assignments. There 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 and appropriate care of each resident.

(c) Relief personnel. Facilities shall obtain qualified relief personnel.

(d) Records; weekly schedules. Weekly time schedules shall be planned at least one week in advance, shall be posted and dated, shall indicate the names and classifications of nursing personnel and relief personnel assigned on each nursing unit for each tour of duty, and shall be updated as changes occur.

Note: See s. HFS 132.45 (6) (b) for records.

(e) Staff meetings. Meetings shall be held at least quarterly for the nursing personnel to brief them on new developments, raise issues relevant to the service, and for such other purposes as are pertinent. These meetings may be held in conjunction with those required by s. HFS 132.44.

(f) Twenty-four hour coverage. All facilities shall have at least one nursing staff person on duty at all times.

(g) Staffing patterns. The assignment of the nursing personnel required by this subsection to each tour of duty shall be consistent with the needs of the residents in the facility.

(h) Computing hours.

1. Only staff time related to the nursing service shall be counted to satisfy the requirements of this section.
2. When determining staff time to count toward satisfaction of the minimum nursing service hours in this section, the following duties of non-nursing personnel, including ward clerks, may be included:

   a. Direct resident care, if the personnel have been appropriately trained to perform direct resident care duties;

   b. Routine completion of medical records and census reports, including copying, transcribing, and filing;

   c. Processing requests for diagnostic and consultative services, and arranging appointments with professional services;

   d. Ordering routine diets and nourishments; and

   e. Notifying staff and services of pending discharges.

3. No services provided by volunteers may be counted toward satisfaction of this requirement. History: Cr. Register, July, 1982, No. 319, eff. 8–1–82; am. (2) (b) 2. and (c), r. (2) (d), Register, January, 1987, No 373, eff. 2–1–87; am. (3) (a), Register, February, 1989, No. 398, eff. 3–1–89; CR 04–053: am. (2) (a) 1. and r. and recr. (3) (a) Register October 2004 No. 586, eff. 11–1–04.