

State Regulations Pertaining to Nursing Services Staff Ratios

Note: This document is arranged alphabetically by State. To move easily from State to State, click the “Bookmark” tab on the Acrobat navigation column to the left of the PDF document. This will open a Table of Contents for the document. The relevant federal regulations are at the end of the PDF.

Alabama

Downloaded 03.28.07

No rules for Nursing Services-staff ratios

Alaska

Downloaded 03.28.07

No rules for Nursing Services-staff ratios

Arizona

Downloaded 04.03.07

No rules for Nursing Services-staff ratios

Arkansas

Downloaded 03.30.07

520.2 RATIO OF DIRECT-CARE STAFF TO RESIDENTS – COMPUTATION

520.2.1 Minimum staffing computations shall be performed using the following method:

Step 1 – Determine the midnight census for the date the shift begins.

Step 2 – Divide the census by the ratio of direct-care staff required for the shift being computed. The result will be the total number of direct-care staff required for the shift.

Step 3 – Divide the census by the required ratio of licensed personnel for the shift being computed. The result will be the total number of licensed direct-care staff required for the shift.

Step 4 – Subtract the results of Step 3 from the results of Step 2. The result will be the total number of remaining direct-care staff required for the shift.

520.2.2 All computations shall be carried to the hundredth place. If the computations result in other than a whole number of direct-care staff for a shift, the number shall be rounded up to the next whole number when the computation, carried to the hundredth place, is fifty-one hundredths (.51) or higher.

520.2.3 Facilities shall have no less than one (1) licensed personnel per shift for direct-care staff as of July 1, 2001.

520.3 MINIMUM DIRECT-CARE STAFF RATIOS

520.3.1 Beginning October 1, 2003, facilities shall maintain the following direct-care staff to resident ratios:

520.3.1.1 Day Shift: One (1) direct-care staff to every six (6) residents; of which there shall be one (1) licensed nurse to every forty (40) residents.

520.3.1.2 Evening Shift: One (1) direct-care staff to every nine (9) residents; of which there shall be one (1) licensed nurse to every forty (40) residents.

520.3.1.3 Night Shift: One (1) direct-care staff to every fourteen (14) residents; of which there shall be one (1) licensed nurse to every eighty (80) residents.

Beginning October 1, 2003

Example The facility has a census of eighty-two (82) residents as of midnight on December 10, 2003, and is computing the required direct-care staff for the day shift of December 11, 2003. The day shift has a direct-care-staff to resident ratio of one (1) direct-care staff to every six (6) residents, of which there shall be one (1) licensed staff member to every forty (40) residents.

Step 1: Census of 82

Step 2: $82 / 6 = 13.67$ [Round to 14; total number of direct-care staff required]

Step 3: $82 / 40 = 2.05$ [Round to 2; number of licensed direct-care staff required]

Step 4: $14 - 2 = 12$ [Number of remaining direct-care staff required]

Total number of direct-care staff for the day shift: 14

Total number of licensed direct-care staff for the day shift: 2

Total number of remaining direct care staff for the day shift: 12

Example The facility has a census of ninety-seven (97) residents as of midnight on January 3, 2004, and is computing the required direct care staff for the evening shift. The evening shift has a direct-care staff to resident ratio of one (1) direct-care staff to every nine (9) residents, of which there shall be one (1) licensed staff member to every forty (40) residents.

Step 1 – Census of 97

Step 2 – $97 / 9 = 10.77$ [Round to 11; total number of direct-care staff required]

Step 3 – $97 / 40 = 2.42$ [Round to 2; number of licensed direct-care staff required]

Step 4 – $11 - 2 = 9$ [Number of remaining direct-care staff required]

Total number of direct-care staff for the evening shift: 11

Total number of licensed direct-care staff for the evening shift: 2

Total number of remaining direct care staff for the evening shift: 9

Example The facility has a census of one hundred forty-two (142) residents as of midnight on December 7, 2003, and is computing the required direct-care staff for the night shift. The night shift has a direct-care-staff to resident ratio of one (1) direct-care staff to every fourteen (14) residents, of which there shall be one (1) licensed staff member to every eighty (80) residents.

Step 1 – Census of 142

Step 2 – $142 / 14 = 10.14$ [Round to 10; total number of direct-care staff]

Step 3 – $142 / 80 = 1.77$ [Round to 2; number of licensed direct-care staff]

Step 4 – $10 - 2 = 8$ [Number of remaining direct-care staff]

Total number of direct-care staff for the night shift: 10

Total number of licensed direct-care staff for the night shift: 2

Total number of remaining direct care staff for the night shift: 8

520.4 EXCEPTIONS TO MINIMUM STAFFING RATIOS

520.4.1 Upon an increase in a facility's resident census, the facility shall be exempt from any corresponding increase in staffing ratios for a period of nine (9) consecutive shifts beginning with the first shift following the midnight census for the date of the expansion of the resident census.

520.4.2 When residents are relocated or transferred from facilities due to natural disaster, emergency or as a result of state or federal action, the Department of Human Services may waive, for a period of no more than three (3) months from the date of transfer, some or all of any required increase in direct-care staff for the facility or facilities to whom the residents are relocated or transferred. Waivers will only be granted for good cause shown, and upon telephone, facsimile or written request. A grant of a waiver is within the sole discretion of the Office of Long Term Care. Facilities may apply for a waiver by writing the Director of the Office of Long Term Care. The written request should state, at a minimum:

- a. The date of the transfer for each resident;
- b. The number of residents transferred for each date in which residents were received from another facility;
- c. The anticipated date by which the facility will be able to meet the increased number of minimum staff for the total number of residents of the entire facility, including all residents received in transfer;
- d. The name of the facility from which the residents were transferred; and,
- e. A brief explanation as to why the facility's staffing cannot be increased prior to the anticipated increase date set out in c, above.

520.5 STAFFING REPORTS

520.5.1 By the fifth (5th) day of each month, each nursing facility or nursing home shall submit a written report of all shifts for the preceding month to the Office of Long Term Care, utilizing form DMS-718.

520.5.2 In addition, each report shall designate the shifts in which minimum staffing standards were not met, as set forth in form DMS-718.

520.6 FLEX STAFFING

520.6.1 Flex staffing permits facilities to vary the beginning and ending hours for shifts, so that facilities may maximize staff time to the benefit of residents. Regardless whether a facility employs shifts of greater duration than specified in these regulations – such as ten (10) or twelve (12) hour shifts – for purposes of computing minimum staffing ratios the facility shall base their computations on three shifts of equal length. Facilities can, however, designate that their shifts will begin earlier or later than specified in Sections 520.1.3 through 520.1.5.

520.6.2 When facilities utilize flex staffing, the shifts must meet the staffing requirements set forth herein for the entire period of the shift. As way of example only, if a facility begins a shift at 5:30 a.m., the minimum staffing requirements for that shift, which would end at 1:30, would be minimum staffing requirements for the Day Shift as set forth in Sections 520.1.3 through 520.1.5, and those minimums must be maintained throughout the entire shift.

520.6.3 The Office of Long Term Care shall be notified in writing when a facility implements a flex-staffing schedule. The written notice shall state the beginning and ending hours of each shift under the flex staffing.

520.7 PENALTIES

Violations of these regulations shall be punishable in accordance with Ark. Code Ann. § 20-10-1407 and 20-10-1408.

Date _____ DAILY STAFFING LOG

Facility Hall, Wing or Corridor

SHIFT SIGN-IN SHEET

Staff Day Shift – sign name below Evening Shift – sign name below Night Shift – sign name below

Time In Signature Time Out Time In Signature Time Out Time In Signature Time Out

RNs

LPNs

CNAs

RNA

NUMBER OF RESIDENTS ON HALL, WING OR CORRIDOR AS OF MIDNIGHT CENSUS:

DMS-7780 (11/99)

Comments: _____

Reviewed: Admin/DON/Designee

Date

75

Instructions for Completing Form DMS-7780

As required by Ark. Code Ann. § 20-10-1401 et seq., a copy of the Form DMS-7780 is to be

completed and posted daily as specified in these instructions and LTC Section 520.9.

Start a new Log with each Day Shift.

1. Date – Enter the current date.
2. Facility – Enter facility name.
3. Hall, Wing or Corridor – Specify the hall, corridor, or wing that the Log covers. See Section 520.9.1.
4. Shift Sign-In Sheet – Staff will sign in at the beginning of each shift and sign out at the end of each shift on the Shift Sign-In Sheet in the section designated for their licensure or certification status. On the log, each person will:

specify his/her time in

sign name

specify time out

RNs, LPNs and RNAs working as CNAs will sign in under the section for their licensure, but the facility shall denote on the form that they are working as CNAs for that shift by placing "(CNA)" after their name. Likewise, RNs working as LPNs will sign in under the RN section, but the facility shall denote on the form that they are working as LPNs by placing "(LPN)" after their name.

5 Today's Residents on Unit – At the beginning of each shift, the Charge Nurse or designee will enter the number of residents on that unit as of 12:01 a.m. of the date of the report. See Section 520.9.1 for the definition of shifts.

6. Comments – The Administrator or designee may enter comments explaining any discrepancies between required and actual staffing.

7. Post the log - See Sections 520.9.1(a), (b), (c), (e), and (i), and 520.9.3.
8. Review – The Administrator, DON or Designee will sign and date each staffing log prior to filing.
9. Save and file the logs for audit by OLTC - See Section 520.9.4.

California

Downloaded 03.29.07

§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.
 - (1) Facilities which provide care for mentally disordered patients and in which licensed 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.
 - (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.
- Note: Authority cited: Sections 208(a), 1275 and 1276.5, Health and Safety Code.
Reference: Sections 1276 and 1276.5, Health and Safety Code; and Section 14110.7(c), Welfare and Institutions Code.

Colorado

Downloaded 04.02.07

7.3 24-HOUR NURSING COVERAGE. The facility shall be staffed with qualified nursing personnel, awake and on duty, who are familiar with the residents and their needs in a number sufficient to meet resident functional dependency, medical, and nursing needs.

7.3.1 Staff shall be sufficient in number to provide prompt assistance to persons needing or potentially needing assistance, considering individual needs such as the risk of accidents, hazards, or other untoward events. Staff shall provide such assistance.

7.3.2 Except as provided in Section 7.6, a nursing care facility shall be staffed at all times with at least one registered nurse who is on duty on the premises. Each resident care unit shall be staffed with at least a licensed nurse.

7.3.3 Except as provided in Section 7.6, an intermediate care facility shall be staffed with at least one full-time licensed registered nurse or licensed practical nurse who is on duty on the premises on the day shift seven days per week. A facility using a licensed practical nurse as a director of nursing shall provide at least 4 hours per week of consultation by a licensed registered nurse.

7.3.4 A nursing care facility shall provide nurse staffing sufficient in number to provide at least 2.0 hours of nursing time per resident per day. In facilities of 60 residents or more, the time of the Director of Nursing, Staff development Coordinator, and other supervisory personnel who are not providing direct resident care shall not be used in computing this ratio.

7.3.5 Nursing personnel shall be trained in nursing procedures and responsibilities and shall be familiar with any equipment necessary for care on the unit.

7.3.6 All nursing assistants and other nursing personnel shall function under the direction of a registered nurse.

7.3.7 If a long-term care facility operates out of more than one building, it shall have a staff on duty 24 hours per day in each building in a number sufficient to meet resident care needs.

Connecticut

Downloaded 03.28.07

(m) Nursing staff:

(1) Each facility shall employ sufficient nurses and nurse's aides to provide appropriate care of patients housed in the facility 24 hours per day, seven days per week.

(2) The number, qualifications, and experience of such personnel shall be sufficient to assure that each patient:

(A) receives treatment, therapies, medications and nourishments as prescribed in the patient care plan developed pursuant to subsection (o) (2) (I) of these regulations;

(B) is kept clean, comfortable and well groomed;

(C) is protected from accident, incident, infection, or other unusual occurrence.

(3) The facility's administrator and director of nurses shall meet at least once every 30 days in order to determine the number, experience and qualifications of staff necessary to comply with this section. The facility shall maintain written and signed summaries of actions taken and reasons therefore.

- (4) There shall be at least one registered nurse on duty 24 hours per day, seven days per week.
- (A) In a chronic and convalescent nursing home, there shall be at least one licensed nurse on duty on each patient occupied floor at all times.
- (B) In a rest home with nursing supervision, there shall be at least one nurse's aide on duty on each patient-occupied floor at all times and intercom communication shall be available with a licensed nurse.
- (5) In no instance shall a chronic and convalescent nursing home have staff below the following standards:
- (A) Licensed nursing personnel:
7 a.m. to 9 p.m.: .47 hours per patient
9 p.m. to 7 a.m.: .17 hours per patient
- (B) Total nursing and nurse's aide personnel:
7 a.m. to 9 p.m.: 1.40 hours per patient
9 p.m. to 7 a.m.: .50 hours per patient
- (6) In no instance shall a rest home with nursing supervision staff below the following standards:
- (A) Licensed nursing personnel:
7 a.m. to 9 p.m.: .23 hours per patient
9 p.m. to 7 a.m.: .08 hours per patient
- (B) Total nursing and nurse's aide personnel:
7 a.m. to 9 p.m.: .70 hours per patient
9 p.m. to 7 a.m.: .17 hours per patient
- (7) In facilities of 61 beds or more, the director of nurses shall not be included in satisfying the requirements of subdivisions (5) and (6) of this subsection.
- (8) In facilities of 121 beds or more, the assistant director of nurses shall not be included in satisfying the requirements of subdivisions (5) and (6) of this subsection.

Delaware

Downloaded 07.25.07

9.4.4 Each institution shall have at least two (2) or more nursing service personnel monitoring the patients twenty-four (24) hours a day.

District of Columbia

Downloaded 05.16.07

Two nursing employees per nursing unit per shift.

Florida

Downloaded 04.20.07

Florida does not have a regulation for Staff Ratio.

State Regulations pertaining to category_nursing_services_staff_ratios
GA through ID

Georgia

Downloaded 04.06.07

(4) There shall be at least one nurse, registered, licensed undergraduate, or licensed practical on duty and in charge of all nursing activities during each eight-hour shift.

(5) There shall be sufficient nursing staff on duty at all times to provide care for each patient according to his needs. A minimum of 2.0 hours of direct nursing care per patient in a 24-hour period must be provided. For every seven (7) total nursing personnel required, there shall be not less than one registered nurse or licensed practical nurse employed. Dining assistants are to be used to supplement, not replace, existing nursing staff requirements and as such are not considered nursing staff and are not to be included in computing the required minimum hours of direct nursing care.

Hawaii

Downloaded 04.03.07

No rules for Nursing Services-staff ratios

Idaho

Downloaded 04.04.07

c. A charge nurse, a registered professional nurse currently licensed by the state of Idaho or a licensed practical nurse currently licensed by the state of Idaho and who meets the requirements designated by the Idaho Board of Nursing to assume responsibilities as a charge nurse in accordance with the definition in Subsection 002.07. A charge nurse shall be on duty as follows: (12-31-91)

i. In SNFs with an average occupancy rate of fifty-nine (59) patients/residents or less a registered professional nurse shall be on duty eight (8) hours of each day and no less than a licensed practical nurse shall be on duty for each of the other two (2) shifts. (1-1-88)

ii. In SNFs with an average occupancy rate of sixty (60) to eighty-nine (89) patients/residents a registered professional nurse shall be on duty for each a.m. shift (approximately 7:00 a.m. - 3:00 p.m.) and p.m. shift (approximately 3:00 p.m. to 11:00 p.m.) and no less than a licensed practical nurse on the night shift. (1-1-88)

iii. In SNFs with an average occupancy rate of ninety (90) or more patients/residents a registered professional nurse shall be on duty at all times. (1-1-88)

iv. In facilities licensed exclusively as an ICF and accepting only intermediate care patients/residents a registered professional nurse or a licensed practical nurse shall be on duty at all times as charge nurse. (1-1-88)

v. In those facilities authorized to utilize a licensed practical nurse as charge nurse, the facility must make documented arrangements for a registered professional nurse to be on call for these shifts to provide professional nursing support. (1-1-88)

vi. Facilities licensed for both skilled and intermediate care shall meet the charge nurse requirements for a SNF. (1-1-88)

d. Nursing hours per patient/resident per day shall be provided to meet the total needs of the patients/ residents. The minimum staffing shall be as follows: (1-1-88)

i. Skilled Nursing Facilities with a census of fifty-nine (59) or less patients/residents shall provide two and four-tenths (2.4) hours per patient/resident per day. Hours shall not

include the Director of Nursing Services but the supervising nurse on each shift may be counted in the calculations of the two and four-tenths (2.4) hours per patient/resident per day. (11-20-89)

ii. Skilled Nursing Facilities with a census of sixty (60) or more patients/residents shall provide two and four-tenths (2.4) hours per patient/resident per day. Hours shall not include the Director of Nursing Services or supervising nurse. (11-20-89)

iii. ICFs that admit only intermediate care patients/residents shall provide one and eight-tenths (1.8) hours per patient/resident per day. Hours may include the Director of Nursing Services, supervising nurse and charge nurses. (11-20-89)

iv. Nursing hours per patient/resident per day are required seven (7) days a week with provision for relief personnel. (11-20-89)

v. Skilled and Intermediate Nursing Facilities shall be considered in compliance with the minimum staffing ratios if, on Monday of each week, the total hours worked by nursing personnel for the previous seven (7) days equal or exceed the minimum, staffing ratio for the same period when averaged on a daily basis and the facility has received prior approval from the Licensing Agency to calculate nursing hours in this manner. (11-20-89)

Illinois

Downloaded 04.04.07

h) Level of Care Determinations

1) The following figures are also considered to be minimum requirements, and each facility, except those of 250 or more occupied beds, shall provide at least the amount of staffing indicated. However, it is recognized that there may be occasional differences of opinion between facility staff and Department surveyors regarding the level of care an individual resident may require. When such differences occur, the surveyor shall determine whether or not the resident is receiving appropriate care. If the resident is, the surveyor shall accept the facility's level of care determination in determining the number of nursing hours to be provided by the facility.

2) Facilities of more than 250 occupied beds must meet the staff-resident ratio for the 250 residents needing the highest level of care. Additional staff shall be provided to meet resident needs as determined by the facility and verified by the Department. The Department may, based upon the Department's Patient Care Evaluation System review of resident care, require the facility to provide additional nursing hours to meet resident needs.

i) In computing the number of persons needed in the following examples, any figure less than .25 will be dropped from the computation and any figure of .75 or higher will go to the next higher number. Figures in between .25 and .75 will require at least the amount of coverage indicated: for example, .25 will require two hours of coverage; .3 will require two hours of coverage; .5 will require four hours of coverage; .6 will require five hours of coverage; .74 will require six hours of coverage; etc. .75 or higher will require eight hours of coverage.

j) These additional hours may be provided by: a part-time person working those hours only on that shift each day; a full-time person working a shift that spans two regular shifts - for example from noon to 8 P.M.; or by an additional full-time person on the shift.

However, these figures are minimal staffing requirements, and it is recommended that a full-time person be provided.

k) The facility shall schedule nursing personnel in such a manner that the needs of all residents are met. At least 40% of the minimum required hours shall be on the day shift, at least 25% of the minimum required hours shall be on the evening shift, and at least 15% of the minimum required hours shall be on the night shift.

l) Skilled Nursing Care

Residents needing skilled nursing care may only be cared for in facilities licensed as Skilled Nursing Facilities. Each resident needing skilled care shall be provided at least 2.5 hours of nursing-personal care each day, of which 20% must be licensed nurse time. (A, B)

m) Intermediate Nursing Care – General

Residents needing intermediate care may be cared for in facilities licensed as either Skilled Nursing Facility or Intermediate Care Facility. Each resident needing intermediate care shall be provided at least 1.7 hours of nursing/personal care each day, of which at least 20% must be licensed nurse time. (A, B)

n) Intermediate Nursing Care – Light

A Long-term care resident needing light intermediate care is one who needs personal care as defined in Section 1-120 of the Act; is mobile; requires some nursing services; needs a program of social services and activities directed toward independence in daily living skills; and needs daily monitoring. Each resident needing light intermediate care shall be provided with at least one hour of nursing/personal care each day, of which at least 20% must be licensed nurse time. (A, B)

o) In order to determine the numbers of nursing personnel needed to staff any facility, the following procedures shall be used:

- 1) The facility shall determine the number of residents needing skilled, general intermediate, and light intermediate or sheltered care.
- 2) The number of residents in each of the three categories shall be multiplied by the overall hours of coverage needed each day for each category.
- 3) Adding the hours of care needed for the residents in each of the three categories will give the total hours of care needed by all residents in the facility.
- 4) Multiplying the total hours needed each day by the percentages assigned to each shift will give the total minimum hours of care that must be provided on that shift. (Remember that the percentages assigned to each shift must total 100% each day.)
- 5) Multiplying the total minimum hours of care needed on each shift by 20% will give the minimum amount of licensed nurse time that must be provided during a 24-hour period.
- 6) The remaining 80% of the minimum required nursing hours of care can be fulfilled by either nursing assistants or licensed nursing personnel as long as it can be documented that they provide restorative/rehabilitative nursing measures, general nursing care, and personal care as defined in Section 300.1210.
- 7) The amount of time determined in subsection (5) and (6) is expressed in hours. Dividing the total number of hours needed by the number of hours each person works per shift (usually seven and one half or eight hours) will give the number of persons needed to staff each shift.

p) Example of Staffing Calculations

State Regulations pertaining to category_nursing_services_staff_ratios IL

1) Following is an example of this computation assuming a 100 bed Skilled Nursing Facility which has 25 skilled, 50 general intermediate and 25 light intermediate residents, assigning 45% to day shift; 35% to evening shift and 20% to the night shift.

2) Staffing would be computed as follows:

A) Total Minimum Hours of Care Needed

State Regulations pertaining to category_nursing_services_staff_ratios IL

Level of Care	# of Residents		Total Hrs. Needed/Day Per Resident	=	Total Hrs. Needed/Day Per Facility
Skilled General	25	x	2.5	=	62.5
ICF	50	x	1.7	=	85
Light ICF	25	x	1.0	=	25
Total hours needed					172.5

B) Minimum Total Hours Needed Per Shift

Shift	Total Hrs. Per Day		Minimum Percent	Total Hrs. Needed
7-3	172.5	X	45%	77.6
3-11	172.5	X	35%	60.4
11-7	172.5	X	20%	34.5
			100%	172.5

C) Licensed Nurse Coverage

Shift	Minimum Hrs. Per Shift		Minimum Percent	Minimum Nurse Hours Required
7-3	77.6	X	20%	15.5
3-11	60.4	X	20%	12.1
11-7	34.5	X	20%	6.9

D) Licensed Nurses Required

Shift	Minimum Nurse Hrs. Required		Hrs. Worked Per Shift	=	# of Nurses Needed
7-3	15.5	/	8	=	1.93 (2)
3-11	12.1	/	8	=	1.51 (1.5)
11-7	6.9	/	8	=	0.86 (1)

State Regulations pertaining to category_nursing_services_staff_ratios IL

E) Nurse Aide/Orderly Coverage

Shift	Minimum Nurse Hrs. Required	Hrs. Worked Per Shift	=	# of Nurses Needed
7-3	77.6	-15.6	=	62.1
3-11	60.4	-12.1	=	48.3
11-7	34.5	-6.9	=	27.6

F) Nurse Aides/Orderlies Required

Shift	Minimum Aide Hrs. Required	Hrs. Worked Per Shift	=	# of Aides Needed
7-3	62.1	/ 8	=	7.76 (8)
3-11	48.3	/ 8	=	6.03 (6)
11-7	27.6	/ 8	=	3.45 (3.5)

(Source: Amended at 13 Ill. Reg. 4684, effective March 24, 1989)

Indiana

Downloaded 04.26.07

a) The facility must have sufficient nursing staff to provide nursing and related services to attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care.

(b) The facility must provide services by sufficient number of each of the following types of personnel on a twenty-four (24) hour basis to provide nursing care to all residents in accordance with resident care plans:

(1) Except when waived under subsection (f), the facility shall provide a licensed nurse hour-to-resident ratio of five-tenths (.5) licensed nurse hour per resident per day, averaged over a one (1) week period. The hours worked by the director of nursing shall not be counted in the staffing hours.

Iowa

Downloaded 04.26.07

f. Additional staffing, above the minimum ratio, may be required by the department commensurate with the needs of the individual residents. (III)

g. The minimum hours of resident care personnel required for residents needing intermediate nursing care shall be 2.0 hours per resident day computed on a seven-day week. A minimum of 20 percent of this time shall be provided by qualified nurses. If the maximum medical assistance rate is reduced below the 74th percentile, the requirement

will return to 1.7 hours per resident per day computed on a seven-day week. A minimum of 20 percent of this time shall be provided by qualified nurses. (II, III)

h. The health service supervisor's hours worked per week shall be included in computing the 20 percent requirement.

i. A nursing facility of 75 beds or more shall have a qualified nurse on duty 24 hours per day, seven days a week. (II, III)

j. In facilities under 75 beds, if the health service supervisor is a licensed practical nurse, the facility shall employ a registered nurse, for at least four hours each week for consultation, who must be on duty at the same time as the health service supervisor. (II, III)

Kansas

Downloaded 04.27.07

(a) Sufficient staff. The facility shall employ sufficient numbers of each of the following types of personnel to provide nursing care to all residents in accordance with each resident's comprehensive assessment and care plan.

(2) A registered nurse shall be on duty at least eight consecutive hours per day, seven days per week. The facility may include the director of nursing to meet this requirement.

(3) A licensed nurse shall be on duty 24 hours per day, seven days per week.

(A) On the day shift there shall be the same number of licensed nurses on duty as there are nursing units.

(B) If a licensed practical nurse is the only licensed nurse on duty, a registered nurse shall be immediately available by telephone.

(4) At least two nursing personnel shall be on duty at all times in the facility. Personnel shall be immediately accessible to each resident to assure prompt response to the resident call system and necessary action in the event of injury, illness, fire, or other emergency.

(7) The nursing facility shall ensure that direct care staff are available to provide resident care in accordance with the following minimum requirements.

(A) Per facility, there shall be a weekly average of 2.0 hours of direct care staff time per resident and a daily average of not fewer than 1.85 hours during any 24 hour period. The director of nursing shall not be included in this computation in facilities with more than 60 beds.

(B) The ratio of nursing personnel to residents per nursing unit shall not be fewer than one nursing staff member for each 30 residents or for each fraction of that number of residents.

(C) The licensing agency may require an increase in the number of nursing personnel above minimum levels under certain circumstances. The circumstances may include the following:

(i) location of resident rooms;

(ii) locations of nurses' stations;

(iii) the acuity level of residents; or

(iv) that the health and safety needs of residents are not being met.

(b) The nursing facility shall maintain staffing schedules on file in the facility for 12 months and shall include hours actually worked and the classification of nursing personnel who worked in each nursing unit on each shift.

(Authorized by and implementing K.S.A. 39-932; effective Nov. 1, 1993; amended Feb. 21, 1997.)

Kentucky

Downloaded 04.27.07

No rules for Nursing Services-staff ratios

Louisiana

Downloaded 05.15.07

- A. The nursing home shall provide a sufficient number of nursing service personnel consisting of registered nurses, licensed practical nurses, and nurse aides to provide nursing care to all residents in accordance with resident care plans 24 hours per day.
1. As a minimum, the nursing home shall provide 1.5 hours of care per patient each day
 3. Nursing service personnel shall be actively on duty. Licensed nurse coverage shall be provided 24 hours per day.

Maine

Downloaded 05.03.07

9.A.3. Licensed Staff Coverage

- a. There shall be a Registered Professional Nurse on duty for at least eight (8) consecutive hours each day of the week.
 - b. Licensed nurse coverage shall be provided according to the needs of the residents as determined by their levels of care. The following minimum coverage shall be met:
 1. Day Shift
 - a. In each facility there shall be a licensed nurse on duty seven (7) days a week.
 - b. Each facility must designate a Registered Professional Nurse or a Licensed Practical Nurse as the charge nurse. In facilities with twenty (20) beds or less, the Director of Nursing may also be the charge nurse.
 - c. In facilities larger than twenty (20) beds, in addition to the Director of Nursing, there shall also be another licensed nurse on duty.
 - d. An additional licensed nurse shall be added for each fifty (50) beds above fifty (50).
 - e. In facilities of one hundred (100) beds and over, the additional licensed nurse shall be a Registered Professional Nurse for each multiple of one hundred (100) beds.
 2. Evening Shift
 - a. There shall be a licensed nurse on duty eight (8) hours each evening.
 - b. An additional licensed nurse shall be added for each seventy (70) beds.
 - c. In facilities of one hundred (100) beds and over, one of the additional licensed nurses shall be a Registered Professional Nurse.
 3. Night Shift
 - a. There shall be a licensed nurse on duty eight (8) hours each night.
 - b. An additional licensed nurse shall be added for each one hundred (100) beds.
 - c. In facilities of one hundred (100) beds and over there shall be a Registered Professional Nurse on duty.
 - d. Registered Professional Nurse on Call
- All licensed nursing facilities, regardless of size, shall have a Registered Professional Nurse on duty or on call at all times.

e. Private Duty Nurses

The presence of private duty nurses shall have no effect on the nursing staff requirements.

9.A.4. Minimum Staffing Ratios

A. The nursing staff-to-resident ratio is the number of nursing staff to the number of occupied beds. Nursing assistants in training shall not be counted in the ratios.

The minimum nursing staff-to-resident ratio shall not be less than the following:

1. On the day shift, one direct-care provider for every 5 residents;
2. On the evening shift, one direct-care provider for every 10 residents; and
3. On the night shift, one direct-care provider for every 15 residents

The definition of direct care providers and direct care is found in Chapter 1 of these Regulations. (see Page 2)

Maryland

Downloaded 05.03.07

(1) Comprehensive care facilities shall provide at least the following supervisory personnel:

Patients	Registered Nurses
(a) 2—99	One—full-time
(b) 100—199	Two—full-time
(c) 200—299	Three—full-time
(d) 300—399	Four—full-time

K. Exception for Facilities Which Do Not Participate in a Federal Program. Facilities with 40 or fewer beds which do not participate in a federal program may request the Department for an exception to the above staffing pattern. If in the public interest and there is no hazard to the patients, the Department may grant an exception based on information which includes the:

- (1) Size of the facility;
- (2) Geographic location of the facility;
- (3) Admission policies of the facility;
- (4) Existing staffing pattern of the facility;
- (5) Number of volunteers in the activity program.

N. Nursing Service Personnel on Duty. The ratio of nursing service personnel on duty to patients may not at any time be less than one to 25, of fraction thereof.

Massachusetts

Downloaded 05.15.07

(B) Minimum Nursing Personnel Requirements.

(1) General.

(a) Nursing personnel shall not service on active duty more than 12 hours per day, or more than 48 hours per week, on a regular basis.

(c) Full-time shall mean 40 hours per week, five days per week.

(e) As a basic minimum, facilities that provide Level I care shall provide a total 2.6 hours of nursing care per patient per day; at least 0.6 hours shall be provided by licensed nursing personnel and 2.0 hours by ancillary nursing personnel.

(e) As a basic minimum, facilities that provide Level II care shall provide a total of 2.0 hours of nursing care per patient per day; at least 0.6 hours shall be provided by licensed nursing personnel and 1.4 hours by ancillary nursing personnel.

1. As a basic minimum, a SNCFC shall provide a total of 5.0 hours of nursing care per patient per day. In facilities housing 40 bed units, at least 1.4 to 1.8 hours shall be provided by licensed nursing personnel and the balance by ancillary nursing personnel. In facilities having less than 40 bed units at least 1.8 to 2.1 hours shall be provided by licensed nursing personnel and the balance by ancillary nursing personnel.

3. As a basic minimum an AIDSSNF shall provide 4.4 hours of nursing care per patient per day; at least 2.0 hours of this care must be provided by licensed personnel and 2.4 by ancillary personnel.

4. An AIDSSNF shall employ, at a minimum, one .5 FTE (20 hours per week) psychiatric nurse who shall be responsible for direct patient care as well as staff training. These hours are in addition to the 4.4 hours of direct nursing specified in 105 CMR 150.007(B)(3)(e)3..

3. As a basic minimum an AIDSSNF shall provide 4.4 hours of nursing care per patient per day; at least 2.0 hours of this care must be provided by licensed personnel and 2.4 by ancillary personnel.

4. An AIDSSNF shall employ, at a minimum, one .5 FTE (20 hours per week) psychiatric nurse who shall be responsible for direct patient care as well as staff training. These hours are in addition to the 4.4 hours of direct nursing specified in 105 CMR 150.007(B)(3)(e)3..

(e) As a basic minimum, facilities that provide Level III care shall provide a total of 1.4 hours of nursing care per patient per day; at least 0.4 shall be provided by licensed nursing personnel and 1.0 hours by ancillary nursing personnel.

Michigan

Downloaded 05.15.07

A licensee shall maintain a nursing home staff sufficient to provide not less than 2.25 hours of nursing care by employed nursing care personnel per patient per day. The ratio of patients to nursing care personnel during a morning shift shall not exceed 8 patients to 1 nursing care personnel; the ratio of patients to nursing care personnel during an afternoon shift shall not exceed 12 patients to 1 nursing care personnel; and the ratio of patients to nursing care personnel during a nighttime shift shall not exceed 15 patients to 1 nursing care personnel and there shall be sufficient nursing care personnel available on duty to assure coverage for patients at all times during the shift.

In a nursing home having 30 or more beds, the director of nursing shall not be included in counting the minimum ratios of nursing personnel required by this subsection.

Minnesota

Downloaded 05.15.07

Subpart 1. Staffing requirements. A nursing home must have on duty at all times a sufficient number of qualified nursing personnel, including registered nurses, licensed practical nurses, and nursing assistants to meet the needs of the residents at all nurses' stations, on all floors, and in all buildings if more than one building is involved. This includes relief duty, weekends, and vacation replacements.

Subp. 2. Minimum hour requirements. The minimum number of hours of nursing personnel to be provided is:

A. 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.

B. For nursing homes certified to participate in the medical assistance program, the nursing home is required to comply with Minnesota Statutes, section [144A.04](#), subdivision 7.

Subp. 3. On-site coverage. A nurse must be employed so that on-site nursing coverage is provided eight hours per day, seven days per week.

Subp. 4. On call coverage. A registered nurse must be on call during all hours when a registered nurse is not on duty.

Mississippi

Downloaded 05.16.07

a. Minimum requirements for nursing staff shall be based on the ratio of two and eight-tenths (2.80) hours of direct nursing care per resident per twenty-four (24) hours.

Staffing requirements are based upon resident census. Based upon the physical layout of the nursing facility, the licensing agency may increase the nursing care per resident ratio.

Missouri

Downloaded 05.18.07

No rules for Nursing Services

Montana

Downloaded 05.22.07

(b) A registered nurse must be on duty at least eight hours per day, and the director of nursing or another registered nurse designated as the director's alternate must be on call and available within 20 minutes at all times.

(1) The following table indicates an absolute minimum staffing pattern below which an acceptable level of care and safety cannot be maintained. Even with this staffing it would be difficult. Therefore, it is recommended that the quantity and quality of staffing should be determined by the administrator in consultation with his director of nursing. This decision should be based on the nursing needs of the patients and should reflect the current concepts of restorative and geriatric care.

37-26086

3/31/02

ADMINISTRATIVE RULES OF MONTANA

In Terms Of Hours Of Service Furnished By Each Category Of Personnel

No. of Beds	R.N.* Hours	L.P.N. Hours	Aide** Hours	R.N. Hours	L.P.N. Hours	Aide** Hours	R.N. Hours	L.P.N. Hours	Aide** Hours
1-5	8	0	0	0	8	0	0	8	0
6-20	8	0	4	0	8	0	0	8	0
21-25	8	0	8	0	8	4	0	8	0
26-30	8	0	12	0	8	8	0	8	4
31-35	8	0	16	0	8	8	0	8	8
36-40	8	0	20	0	8	12	0	8	8
41-45***	8	0	24	0	8	16	0	8	8
46-50	8	8	28	0	8	16	0	8	12
51-55	8	8	32	0	8	20	0	8	16
56-60	8	8	36	0	8	24	0	8	16
61-65	8	8	40	0	8	24	0	8	16
66-70	8	8	44	0	8	28	0	8	20
71-75	8	8	48	0	8	32	0	8	24
76-80	8	8	52	0	8	32	0	8	24
81-85	8	16	48	0	8	32	0	8	24
86-90	8	16	52	0	8	32	0	8	20
91-95	8	16	56	0	8	32	0	8	24
96-100	16	16	52	0	8	36	0	8	24
	16	16	56	0	8	40	0	8	24

37,106,605

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Nebraska

Downloaded 05.25.07

- a. Minimum requirements for nursing staff shall be based on the ratio of two and eight-tenths (2.80) hours of direct nursing care per resident per twenty-four (24) hours. Staffing requirements are based upon resident census. Based upon the physical layout of the nursing facility, the licensing agency may increase the nursing care per resident ratio.
- b. Each facility shall have the following licensed personnel as a minimum:
 - 1. Seven (7) day coverage on the day shift by a registered nurse.
 - 2. A registered nurse designated as the Director of Nursing Services, who shall be employed on a full time (five [5] days per week) basis on the day shift and be responsible for all nursing services in the facility.

Nevada

Downloaded 06.11.07

No rules for Nursing Services-staff ratios

New Hampshire

Downloaded 06.11.07

No rules for Nursing Services-staff ratios

New Jersey

Downloaded 06.11.07

8:39-25.2 Mandatory nurse staffing amounts and availability

(a) The facility shall provide nursing services and licensed nursing and ancillary personnel at all times. In accordance with N.J.A.C. 13:37-6.2, the registered professional nurse may delegate selected nursing tasks in the implementation of the nursing regimen to licensed practical nurses and ancillary nursing personnel.

(b) The facility shall provide nursing services by registered professional nurses, licensed practical nurses, and nurse aides (the hours of the director of nursing are not included in this computation, except for the direct care hours of the director of nursing in facilities where the director of nursing provides more than the minimum hours required at N.J.A.C. 8:39-25.1(a) above) on the basis of:

1. Total number of residents multiplied by 2.5 hours/day; plus
2. Total number of residents receiving each service listed below, multiplied by the corresponding number of hours per day:

Wound care	0.75 hour/day
Nasogastric tube feedings and/or gastrostomy	1.00 hour/day
Oxygen therapy	0.75 hour/day
Tracheostomy	1.25 hours/day
Intravenous therapy	1.50 hours/day
Use of respirator	1.25 hours/day
Head trauma stimulation/advanced neuromuscular/ orthopedic care	1.50 hours/day

New Mexico

Downloaded 06.12.07

F. STAFFING PATTERNS: The assignment of the nursing personnel required by this subsection to each tour of duty shall be sufficient to meet each resident's needs and implement each resident's comprehensive care plan.

(1) Nursing department personnel means, the director of nursing, the assistant director of nursing, nursing department directors, licensed nursing personnel, certified nursing assistants, nursing assistants who have completed 16 hours or more of orientation and demonstrated competency and restorative nursing assistants.

State Regulations pertaining to category_nursing_services_staff_ratios NM through ND

(2) The director of nursing, the assistant director of nursing, and nursing department directors may be counted towards the minimum staffing requirements only for the time spent on the shift providing direct resident care services.

(a) A skilled nursing facility or facility that offers intermediate and skilled nursing shall maintain a nursing department minimum staffing level of two and a half (2.5) hours per patient day calculated on a seven (7) day average.

(b) An intermediate care facility shall maintain a nursing department minimum staffing level of two and three-tenths (2.3) hours per patient day calculated on a seven (7) day average.

(c) Within one hour of shift change, facilities shall post the number of nursing personnel on duty in a conspicuous and consistent location for public review. Shifts are informally defined as the day shift, evening shift, and night shift. Employees working variations of these shifts shall be included within the shift count where a majority of the hours fall.

EXAMPLE: For a facility with 100 patients, 2.3 hours per patient day averages one nursing department employee on duty for approximately every 10 to 11 patients. For a facility with 100 patients, 2.5 hours per patient day averages one nursing department employee for every 9 to 10 patients. These are daily averages that will vary from shift to shift so that actual staffing might approximate:

	2.3 Hours Per Patient Day	2.5 Hours Per Patient Day
Day Shift	1 staff for 8 patients	1 staff for 7 patients
Evening Shift	1 staff for 10 patients	1 staff for 10 patients
Night Shift	1 staff for 13 patients	1 staff for 12 patients

[7-1-60, 5-2-89; 7.9.2.51 NMAC – Rn & A, 7 NMAC 9.2.51, 8-31-00]

New York

Downloaded 06.12.07

No rules for Nursing Services-staff ratios

North Carolina

Downloaded 06.13.07

(d) Except for designated units with higher staffing requirements noted elsewhere in this Subchapter, daily direct patient care nursing staff, licensed and unlicensed, shall equal or exceed 2.1 nursing hours per patient per day. (This is sometimes referred to as nursing hours per patient day or NHPPD or NH/PD.)

North Dakota

Downloaded 06.13.07

No rules for Nursing Services-staff ratios

Ohio

Downloaded 06.13.07

No rules for Nursing Services – staff ratios

Oklahoma

Downloaded 06.18.07

- (1) The facility shall employ licensed nurses for a sufficient number of hours to meet the residents' needs.

(2)

310:675-11-7. Staffing

(a) The ICF/MR-16 shall have available enough qualified staff and support personnel to carry out the residential living, professional and special programs and services for residents as required by their individual needs, and of sufficient size that the facility does not depend on residents or volunteers for services.

(b) Each ICF/MR 16 shall maintain at least the minimum direct-care-staff ratios specified in OAC 310:675-13-12(a).

(c) In living units for the severely impaired client, the present and on duty direct care staff ratio would be:

(1) 1 to 4 from 7:00 a.m. to 3:00 p.m.;

(2) 1 to 4 from 3:00 p.m. to 11:00 p.m.; and

(3) 1 to 8 from 11:00 p.m. to 7:00 a.m.

(d) There should be sufficient dietary, nursing, housekeeping and administrative staff to serve the needs of the facility.

[Source: Amended at 18 Ok Reg 2533, eff 6-25-01; Amended at 18 Ok Reg 3599, eff 8-22-01 through 7-14-02 (emergency)¹]

EDITOR'S NOTE: ¹This emergency action expired without being superseded by a permanent action. Upon expiration of an emergency amendatory action, the last effective permanent text is reinstated. Therefore, on 7-15-02 (after the 7-14-02 expiration of the emergency action), the text of 310:675-11-7 reverted back to the permanent text that became effective 6-25-01, as was last published in the 2001 Edition of the OAC and as is published again herein.

Oregon

Downloaded 06.14.07

(2) MINIMUM STAFFING, GENERALLY. Resident care needs shall be the primary consideration in determining the number and categories of nursing personnel needed. Staffing shall be sufficient in quantity and quality to provide nursing care for each resident as needed, including restorative care that enables each resident to achieve and maintain the highest possible degree of function, self-care and independence, as determined by the resident's care plan. Such staffing shall be provided even though it exceeds other requirements specified by this rule or specified in any waiver.

(3) MINIMUM LICENSED NURSE STAFFING.

(a) Licensed nurse hours shall include no less than one RN hour per resident per week;

(b) When an RN serves in the temporary absence of the administrator, his/her hours shall not be used to meet minimum nursing hours.

(c) In facilities with 41 or more beds the hours of a licensed nurse who serves as facility administrator shall not be included in any licensed nurse coverage required by OAR 411-086-0100.

(d) The facility shall have a licensed charge nurse on each shift, 24-hours per day. The charge nurse must be an RN for no less than eight consecutive hours, between 7 am and 11 pm, seven days a week.

(A) The DNS may serve as charge nurse only when the facility has 60 or fewer residents.

(B) Subsection (3)(d) of this rule may be waived by the Division if the licensee demonstrates that:

(i) It has been unable to recruit appropriate personnel despite diligent effort (including offering wages at the community prevailing rate for nursing facilities);

(ii) The waiver will not endanger the health or safety of residents;

(iii) The request for waiver shall comply with OAR 411-085-0040 and shall be reviewed annually; and

(iv) The request for waiver shall certify that an RN or physician is obligated to immediately respond to telephone calls from the facility.

(4) MINIMUM CERTIFIED NURSING ASSISTANT STAFFING.

(a) Each resident shall have a nursing assistant assigned to his/her care on each shift (nursing assistants may be assigned by room number). The numbers listed in this rule are not intended to indicate sufficient nursing staff; the minimum staff required are the numbers sufficient to meet resident care needs. The number of residents assigned to the nursing assistant shall not exceed the following numbers:

(A) DAY SHIFT (7 am until 3 pm): 10 residents.

(B) SWING SHIFT (3 pm until 11 pm): 15 residents.

(C) NIGHT SHIFT (11 pm until 7 am): 25 residents.

(b) A facility providing an alternate schedule to the Division specifying the maximum numbers of residents assigned to any nursing assistant on each shift may be granted a variance to paragraphs (4)(a)(A), (B) and (C) of this rule. Such requests must comply with OAR 411-085-0040.

Pennsylvania

Downloaded 06.19.07

(1) The following minimum nursing staff ratios are required:

State Regulations pertaining to category_nursing_services_staff_ratios SC through TX

Census	Day	Evening	Night
59 and under	1 RN	1 RN	1 RN or 1 LPN
60/150	1 RN	1 RN	1 RN
151/250	1 RN and 1 LPN	1 RN and 1 LPN	1 RN and 1 LPN
251/500	2 RNs	2 RNs	2 RNs
501/1,000	4 RNs	3 RNs	3 RNs
1,001/Upward	8 RNs	6 RNs	6 RNs

(2) When the facility designates an LPN as a nurse who is responsible for overseeing total nursing activities within the facility on the night tour of duty in facilities with a census of 59 or under, a registered nurse shall be on call and located within a 30-minute drive of the facility.

(g) There shall be at least one nursing staff employee on duty per 20 residents.

(h) At least two nursing service personnel shall be on duty.

(i) A minimum number of general nursing care hours shall be provided for each 24-hour period. The total number of hours of general nursing care provided in each 24-hour period shall, when totaled for the entire facility, be a minimum of 2.7 hours of direct resident care for each resident.

Rhode Island

Downloaded 06.29.07

No rules for Nursing Services-staff ratios

South Carolina

Downloaded 06.20.07

A. The 1976 Code is amended by adding:

"Section 44-7-262. (A) As a condition of licensure, in addition to the number of licensed nursing personnel required by R61-17, or any other regulation, a nursing home must provide at a minimum these resident-staff ratios for staff who provide nursing care:

(1) 9 to 1 for shift 1;

(2) 13 to 1 for shift 2;

(3) 22 to 1 for shift 3.

In those facilities utilizing two twelve-hour shifts, the staffing ratios for shift one apply to the twelve-hour shift occurring primarily during the day, and the staffing ratios for shift three apply to the twelve-hour shift occurring primarily during the night.

(B) For purposes of this section:

(1) 'Shift 1' means a work shift that occurs primarily during the daytime hours including, but not limited to, a 7:00 a.m. to 3:00 p.m. shift;

(2) 'Shift 2' means a work shift that generally includes both daytime and evening hours including, but not limited to, a 3:00 p.m. to 11:00 p.m. shift;

(3) 'Shift 3' means a work shift that occurs primarily during the nighttime hours including, but not limited to, an 11:00 p.m. to 7:00 a.m. shift."

B. This section takes effect January 1, 1999.

South Dakota

Downloaded 06.25.07

No rules for Nursing Services-staff ratios

Tennessee

Downloaded 06.29.07

(a) Each nursing home must have an organized nursing service that provides twenty-four (24) hour nursing services furnished or supervised by a registered nurse. Each home shall have a licensed practical nurse or registered nurse on duty at all times and at least two (2) nursing personnel on duty each shift.

Texas

Downloaded 07.11.07

(a) The ratio of licensed nurses to residents must be sufficient to meet the needs of the residents.

(1) At a minimum, the facility must maintain a ratio (for every 24-hour period) of one licensed nursing staff person for each 20 residents or a minimum of .4 licensed-care hours per resident day. To determine licensed-care hours per resident day, multiply the number of licensed nurses by the number of hours they work in a single day and divide the product by the number of residents in the facility. Three nurses working eight-hour shifts is 24 hours, divided by 60 residents, equals .4 licensed-care hours per resident day.

(2) Licensed nurses who may be counted in the ratio include, but are not limited to, director of nursing, assistant directors of nursing, staff development coordinators, charge nurses, and medication/treatment nurses. These licensed nurses may be counted subject to the limitations of paragraphs (3) and (4) of this subsection.

(3) Staff, who also have administrative duties not related to nursing, may be counted in the ratio only to the degree of hours spent in nursing-related duties.

(4) If a multi-level facility (nursing facility or Medicare SNF) has one director of nursing over the entire facility, he may not be counted in the nursing ratio. A director of nursing for a single distinct part may be counted in the ratio for the distinct part.

(b) The facility must maintain continuous time schedules showing the number and classification of nursing personnel, including relief personnel, who are scheduled or who worked in each unit during each tour of duty. The time schedules must be maintained for the period of time specified by facility policy or for at least two years following the last day in the schedule.

(c) A graduate vocational nurse who has a temporary work permit must work under the direction of a licensed vocational nurse, registered nurse, or licensed physician who is

physically present in the facility. The graduate (registered) nurse who has a temporary work permit must work under the direction of a registered nurse until registration has been achieved.

(d) If the facility uses licensed temporary nursing personnel, the temporary personnel must have the same qualifications that permanent facility employees do. If temporary personnel are used for afternoon or night shifts, a full-time, licensed nurse must be on call and immediately available by telephone. The on-call nurse must be a registered nurse unless the facility has a current waiver from DHS and is not required to provide daily RN coverage.

(e) Consultative pediatric nursing services must be available to facility staff if the facility has a pediatric resident.

Source Note: The provisions of this §19.1002 adopted to be effective May 1, 1995, 20 TexReg 2393.

Utah

Downloaded 07.10.07

No rules for Nursing Services-staff ratios

Vermont

Downloaded 06.08.07

(c) Registered Nurse.

(1) The facility must use the services of a registered nurse for at least 8 consecutive hours a day, 7 days a week.

(2) The facility must designate a registered nurse to serve as the director of nursing on a full time basis.

(3) The director of nursing may serve as a charge nurse only when the facility has an average daily occupancy of 60 or fewer residents.

(d) Staffing Levels. The facility shall maintain staffing levels adequate to met resident needs.

(1) At a minimum, nursing facilities must provide:

(i) no fewer than 3 hours of direct care per resident per day, on a weekly average, including nursing care, personal care and restorative nursing care, but not including administration or supervision of staff; and

(ii) of the three hours of direct care, no fewer than 2 hours per resident per day must be assigned to provide standard LNA care (such as personal care, assistance with ambulation, feeding, etc.) performed by LNAs or equivalent staff and not including meal preparation, physical therapy or the activities program.

Virginia

Downloaded 08.06.07

RESIDENT SERVICES.

12 VAC 5-371-200. Director of nursing.

State Regulations pertaining to category_nursing_services_staff_ratios VA throughWA

B. The duties and responsibilities of the director of nursing shall include, but are not limited to:

2. Recommending to the administrator the resources needed to carry out nursing service, including but not limited to, equipment and supplies and the number and level of nursing personnel to be employed;

Washington

Downloaded 06.08.07

No rules for Nursing Services-staff ratios

West Virginia
Downloaded 07.11.07

TABLE 64-13A
Minimum Ratios of Resident Care Personnel to Residents

Total Resident Care Personnel			Total Resident Care Personnel			Total Resident Care Personnel			Total Resident Care Personnel		
No of	Hours	#	No of	Hours	#	No of	Hours	#	No of	Hours	#
Residents	per	per	Residents	per	per	Residents	per	per	Residents	per	per
3 to 10	day	day	91	day	day	136	day	day	181	day	day
3 to 10	48	6	91	205	26	136	306	38	181	408	51
11 to 20	56	7	92	207	26	137	309	39	182	410	51
21 to 30	72	9	93	210	26	138	311	39	183	412	52
31 to 40	90	11	94	212	26	139	313	39	184	414	52
41 to 50	113	14	95	214	27	140	315	39	185	417	52
51	115	14	96	216	27	141	318	40	186	419	52
52	117	15	97	219	27	142	320	40	187	421	53
53	120	15	98	221	28	143	322	40	188	423	53
54	122	15	99	223	28	144	324	40	189	426	53
55	124	16	100	225	28	145	327	41	190	428	54
56	126	16	101	228	28	146	329	41	191	430	54
57	129	16	102	230	29	147	331	41	192	432	54
58	131	16	103	232	29	148	333	42	193	435	54
59	133	17	104	234	29	149	336	42	194	437	55
*60	135	17	105	237	30	150	338	42	195	439	55

