



Catherine B. Templeton, Director

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August 3, 2011

## MEMORANDUM

TO: Administrators of Nursing Homes

FROM: Gwen C. Thompson, Director  
Division of Health Licensing

SUBJECT: **Temporary Modification of Nursing Home Staffing Standards for Fiscal Year 2012-2013**

On May 14, 2012, the Governor signed into law a joint resolution extending the nursing home staffing standards that were enacted last fiscal year “. . . in order to meet appropriations.”

The section of the bill regarding staffing states, “SECTION 2. (A) For Fiscal Year 2012-2013, a nursing home shall: (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the nonlicensed staff; and (2) maintain at least one licensed nurse per shift for each work area.

Minimum staffing levels for nonlicensed nursing staff are based on a 24 hour day and not a shift by shift basis. Management may schedule nonlicensed staff to meet the needs of the residents across shifts as they deem necessary.

For example, an 88 bed facility with 100% census may determine the following formula is most appropriate for the facility’s situation:

- The first shift would be staffed with at least 8 Full Time Equivalent (FTE); second shift would be staffed with at least 6 FTEs; and third shift would be staffed with at least 4 FTEs for a daily total of 18 FTEs.  $18 \text{ FTEs} \times 8 \text{ hours per shift} = 144 \text{ staff hours per day}$ .  $144 \text{ staff hours per day} \div 88 \text{ residents} = 1.6364 \text{ staff hours per resident per day}$ . The figure may be rounded to 1.63.

Facilities may use other formulas to suit their specific needs. At no time, however, may staffing fall below levels that would provide residents with 1.63 hours of direct care per day.

Nursing homes will be required to staff work areas with one licensed nurse per work area no matter how many residents are housed in any work area.

These modified staffing standards are in effect for Fiscal Year 2012-2013 which runs from July 1, 2012 to June 30, 2013.

If there are any questions, you may call Shara Merritt at (803) 545-4976.

GCT/ejc

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