
OLR Bill Analysis

sSB 265

AN ACT CONCERNING NOTICE OF STAFF-TO-PATIENT RATIOS, ROOM TELEPHONE ACCESS AND ASBESTOS MITIGATION MEASURES AT NURSING HOME FACILITIES.

SUMMARY

This bill makes various changes affecting nursing homes and residential care homes (RCHs, which include rest homes). Principally, it:

1. requires nursing homes to post daily on their websites, instead of only on-site, the number of direct care nursing staff working each shift, minimum direct care staffing state requirements, and contact information to report suspected staffing violations;
2. prohibits nursing homes and RCHs from charging residents to install, use, or maintain a landline phone to make local calls;
3. requires (a) RCHs to provide at least one working landline phone in common areas of the facility and (b) nursing homes to provide a working landline phone in a resident's room, upon the resident's request, for exclusive use by the resident and authorized individuals; and
4. requires nursing homes to disclose to potential and current residents the presence of asbestos, its location, any scheduled abatement, and steps the facilities will take to ensure resident safety during the abatement.

EFFECTIVE DATE: July 1, 2022

POSTING DAILY NURSE STAFFING INFORMATION

The bill requires nursing homes to post daily on their websites the following information in accordance with federal regulations:

1. nursing home name, the date, and total number of residents;
2. total number of advanced practice registered nurses, registered nurses, licensed practical nurses, and nurse's aides responsible for direct patient care during the shift; and
3. total number of hours these nursing staff are scheduled to work during the shift.

Additionally, the bill requires nursing homes to post the following information on their websites:

1. minimum number of direct-care nursing staff per shift required by state public health regulations and
2. telephone number or website that a resident, employee, or visitor may use to report a suspected violation of these staffing requirements.

The above information must be posted online at the beginning of each shift. Existing law, unchanged by the bill, also requires nursing homes to post the information on-site, in a legible format and in a conspicuous place readily accessible to, and clearly visible by, residents, employees, and visitors, including those in a wheelchair. They must also (1) make the information available for public review upon request and (2) retain it for at least 18 months after its posting.

ASBESTOS DISCLOSURE

By law, nursing homes must allow prospective and current residents, and their relatives, legal representatives, and other designated people, to inspect the facility's inspection reports issued by any state or local agency (e.g., the Department of Public Health or State Fire Marshall), or the U.S. Department of Health and Human Services.

Under the bill, if these inspection reports do not contain information on asbestos and its abatement, nursing homes must disclose in writing to these individuals:

1. if asbestos exists in the facility, and if so, its location;

2. the dates and times of any scheduled asbestos abatement; and
3. steps the facility is taking to ensure resident safety during the abatement.

The bill requires facilities to provide an adequate room for individuals to inspect the disclosures during normal business hours, provided they remove residents' names from the documents. Facilities must also post a notice on-site stating that the disclosures are available for inspection and the location for inspecting them. (Existing law already requires facilities to do this for inspection reports.)

COMMITTEE ACTION

Aging Committee

Joint Favorable

Yea 11 Nay 5 (03/10/2022)