

Nursing Home and Assisted Living Oversight Work Group

Connecticut Department of Public Health

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Connecticut Department of Public Health

Connecticut Department of Public Health Keeping Connecticut Healthy



Nursing Home Oversight

- Certification with the Centers for Medicare and Medicaid Services (CMS)
 - Annual certification surveys conducted by Department of Public Health
 - Surveys review compliance with the Code of Federal Regulations (CFR) , 42CFR part 483, subpart B, 483.5-483.95
- <https://www.cms.gov/Medicare/Provider-Enrollment-and-Certification/GuidanceforLawsAndRegulations/Nursing-Homes;>
- Compliance teams comprised of ~4 nurses and surveys conducted over a 4 day period; and
 - Surveys include tour/observations of the environment including resident areas, kitchen, and housekeeping services, medical record review, review of systems and most importantly, interviews with residents, resident families and staff.
 - Staffing reviewed on all surveys, e.g. licensure, monitoring visit, certification, complaints
- Licensure survey inspections conducted every 2 years and compliance with the Regulations of the Connecticut State Agencies is assessed, 19-13-D&t.
 - https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_19Subtitle_19-13Section_19-13-d&t/

19-13-D8t (d) General Conditions

(1) Patient admission.

(A) Patients shall be admitted to the facility only after a physician certifies the following:

- (i) That a patient admitted to a chronic and convalescent nursing home has uncontrolled and/or unstable and/or chronic conditions requiring continuous skilled nursing services and/or nursing supervision or has chronic conditions requiring substantial assistance with personal care, on a daily basis;
- (ii) That a patient admitted to a rest home with nursing supervision has controlled and/or stable chronic conditions which require minimal skilled nursing service nursing supervision, or assistance with personal care on a daily basis.

Director of Nurses

Section 19-13-D8t (j)

(j) Director of nurses.

(1) Qualifications.

(A) For a chronic and convalescent nursing home, the director of nurses, or any person acting in such capacity, shall be a nurse registered in Connecticut with at least one (1) year of additional education or experience in rehabilitative or geriatric nursing and one (1) year of nursing service administration.

(B) For a rest home with nursing supervision, the director of nurses, or any person acting in such capacity, shall be a nurse registered in Connecticut with at least one (1) year of additional education or experience in nursing service administration.

(2) The director of nurses shall be responsible for the supervision, provision, and quality of nursing care in the facility. The director of nurses' powers and duties shall include, but not necessarily be limited to, the following:

(A) development and maintenance of written nursing service standards of practice, to be ratified by the governing body; including but not necessarily limited to:

(i) definition of routine nursing care to be rendered by licensed nursing personnel, and determination of when more than routine care is needed; and

(ii) definition of routine care to be rendered by nurse's aides, and determination of when more than routine care is needed;

B) coordination and integration of nursing services with other patient care services through periodic meetings or written reports;

(C) development of written job descriptions for nurses and nurse's aides;

(D) development and annual review of nursing service procedures;

(E) coordination and direction of the total planning for nursing services, including recommending to the administrator the number and levels of nurses and nurse's aides to be employed;

(F) selection, with the administrator's approval, of all nurses and nurse's aides;

Director of Nurses (continued)

- (G) appointment of nurse supervisors as required by subsection (k) of section 19-13-D8t of the Regulations of Connecticut State Agencies;
 - (H) designation of a nurse in charge of each unit for all shifts;
 - (I) development of a schedule of daily rounds and assignment of duties for all nurses and nurse's aides to assure twenty-four (24) hour coverage sufficient to meet state regulatory requirements;
 - (J) assistance in the development of and participation in a staff orientation and training program, in cooperation with the administrator and medical director, as required by subsection (f) (3) (J) of section 19-13-D8t of the Regulations of Connecticut State Agencies;
 - (K) ensuring yearly written evaluation of nurses and nurse's aides;
 - (L) reporting significant clinical developments to the patient's personal physician and to the medical director; and Sec. 19-13-D page 70 (6-07)
 - (M) appointment, with the approval of the administrator, of a nurse employed at the facility to act in the director's behalf in temporary absences.
- (3) The director of nurses shall serve full-time and shall serve his/her entire shift between the hours of 7 a.m. and 9 p.m.
 - (4) An assistant director of nurses shall be appointed in any facility of one hundred and twenty (120) beds or more.

19-13-D8t (m) Nursing Staff

(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

19-13-D8t (m) Nursing Staff

(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.

19-13-D8t (m) Nursing Staff

(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

19-13-D8t (m) Nursing Staff

(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.

Federal Requirements

§483.35 Nursing Services

The facility must have sufficient nursing staff with the appropriate competencies and skills sets to provide nursing and related services to assure resident safety and 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 and considering the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e).

§483.35(a) Sufficient Staff.

- ***§483.35(a)(1) The facility must provide services by sufficient numbers of each of the following types of personnel on a 24-hour basis to provide nursing care to all residents in accordance with resident care plans:***
 - ***(i) Except when waived under paragraph (e) of this section, licensed nurses; and***
 - ***(ii) Other nursing personnel, including but not limited to nurse aides.***

§483.35(a)(2) Except when waived under paragraph (e) of this section, the facility must designate a licensed nurse to serve as a charge nurse on each tour of duty.

INTENT §483.35(a)(1)-(2)

- ***To assure that there is sufficient qualified nursing staff available at all times to provide nursing and related services to meet the residents' needs safely and in a manner that promotes each resident's rights, physical, mental and psychosocial well-being.***

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