General Assembly

Raised Bill No. 1279

January Session, 2025

LCO No. **4150**

Referred to Committee on AGING

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME STAFFING RATIOS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 19a-563h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(a) As used in this section, "direct care" means hands-on care provided by a registered nurse, licensed pursuant to chapter 378, licensed practical nurse, licensed pursuant to chapter 378, or a nurse's aide, registered pursuant to chapter 378a, to residents of nursing homes, as defined in section 19a-563, including, but not limited to, assistance with feeding, bathing, toileting, dressing, lifting and moving, administering medication, promoting socialization and personal care services, but does not include food preparation, housekeeping, laundry services, maintenance of the physical environment of the nursing home or performance of administrative tasks.

(b) **[**On or before January 1, 2022**]** <u>On and after July 1, 2026</u>, the Department of Public Health shall (1) establish minimum staffing level requirements for nursing homes of **[**three hours of direct care per resident per day, and (2) modify staffing level requirements for social work and recreational staff of nursing homes such that the requirements

(A) for social work, a number of hours that is based on one full-time social worker per sixty residents and that shall vary proportionally based on the number of residents in the nursing home, and (B) for recreational staff are lower than the current requirements, as deemed appropriate by the Commissioner of Public Health.**]** at least three and six-tenths hours of direct care per resident per day, including sixty-six-hundredths of an hour of care by a registered nurse, forty-nine-hundredths of an hour of care by a licensed practical nurse and two and forty-five-hundredths hours of care by a registered nurse's aide, and (2) modify staffing level requirements for social work and recreational staff of nursing homes such that the requirements (A) for social work are one full-time social worker per sixty residents, and (B) for recreational staff are higher than the requirements prior to January 1, 2024, as deemed appropriate by the Commissioner of Public Health. Such minimum staffing level requirements shall remain in effect until the department establishes minimum staffing level requirements pursuant to subsection (c) of this section.

(c) On or before January 1, 2028, the Department of Public Health shall (1) establish minimum staffing level requirements for nursing home facilities of at least four and one-tenth hours of direct care per resident per day, including three-quarters of an hour of care by a registered nurse, fifty-four-hundredths of an hour of care by a licensed practical nurse and two and eighty-one-hundredths hours of care by a registered nurse's aide, and (2) modify staffing level requirements for social work and recreational staff of nursing homes such that the requirements (A) for social work are one full-time social worker per sixty residents, and (B) for recreational staff are higher than the requirements prior to January 1, 2024, as deemed appropriate by the Commissioner of Public Health.

[(c)**]** (d) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 **[**that set forth nursing home staffing level requirements**]** to implement the provisions of this section. **[**The Commissioner of Public Health may implement policies and procedures

necessary to administer the provisions of this section while in the process of adopting such policies and procedures as regulations, provided notice of intent to adopt regulations is published on the eRegulations System not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.**]**

Sec. 2. Section 19a-562h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2026*):

(a) **[**If**]** On and after July 1, 2026, if the Commissioner of Public Health finds that a nursing home facility has substantially failed to comply with a nursing home facility staffing level requirement established pursuant to **[**the regulations of Connecticut state agencies**]** section 19a-563h, as amended by this act, such violation shall be considered a class B violation pursuant to section 19a-527, and, the commissioner may (1) take any disciplinary action against the nursing home facility permitted under section 19a-494, and (2) issue or cause to be issued a citation to the licensee of such nursing home facility pursuant to the provisions of section 19a-524, as amended by this act.

(b) A citation of a nursing home facility staffing level requirement set forth in the regulations of Connecticut state agencies shall be prominently posted in the nursing home facility and included in the listing prepared by the Department of Public Health pursuant to the provisions of section 19a-540.

(c) The Commissioner of Public Health shall adopt regulations, in accordance with chapter 54, to implement the provisions of this section.

Sec. 3. Section 19a-524 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

If, upon review, investigation or inspection pursuant to section 19a-498, the Commissioner of Public Health determines that a nursing home facility or residential care home has violated any provision of section

17a-876, 19a-491a to 19a-491c, inclusive, 19a-493a, 19a-521 to 19a-529, inclusive, 19a-531 to 19a-551, inclusive, **[**or**]** 19a-553 to 19a-555, inclusive, or, on and after July 1, 2026, section 19a-563h, as amended by this act, or any provision of any regulation of Connecticut state agencies relating to licensure, the Fire Safety Code or the operation or maintenance of a nursing home facility or residential care home, which violation has been classified in accordance with section 19a-527, the commissioner may immediately issue or cause to be issued a citation to the licensee of such nursing home facility or residential care home. Governmental immunity shall not be a defense to any citation issued or civil penalty imposed pursuant to this section or sections 19-525 to 19a-528, inclusive. Each such citation shall be in writing, provide notice of the nature and scope of the alleged violation or violations, and include, but not be limited to, the citation and notice of noncompliance issued in accordance with section 19a-496. Each citation and notice of noncompliance issued under this section shall be sent to the licensee electronically in a form and manner prescribed by the commissioner or by certified mail at the address of the nursing home facility or residential care home in issue. A copy of such citation and notice of noncompliance shall also be sent to the licensed administrator at the address of the nursing home facility or residential care home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2026*	19a-563h
Sec. 2	*July 1, 2026*	19a-562h
Sec. 3	*October 1, 2026*	19a-524

Statement of Purpose:

To (1) establish minimum nursing home staffing levels, and (2) impose stricter penalties for violations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]