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NURSING HOMES: MODIFY STAFFING REQUIREMENTS

House Bill 4176

Sponsor: Rep. Burton Leland

Committee: Health Policy

Complete to 4-27-98

A SUMMARY OF HOUSE BILL 4176 AS INTRODUCED 1-30-98

The bill would amend the Public Health Code to modify the required patient to nursing care personnel ratio, and to allow nursing homes to use unlicensed nursing personnel in meeting those ratios. Currently, a licensed nursing home must have at least one licensed nurse on duty at all times and must employ additional registered nurses and licensed practical nurses to maintain a patient to nursing care personnel ratio of not more than eight to one for morning shifts, not more than twelve to one for afternoon shifts, and not more than fifteen to one for nighttime shifts. In addition, a nursing home must 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 bill instead would specify that a nursing home maintain a ratio of patients to “unlicensed nursing personnel” of not more than eight to one for morning shifts, not more than twelve to one for afternoon shifts, and not more than fifteen to one for nighttime shifts. “Unlicensed nursing personnel” would be defined as “persons who perform in a nursing home only those functions for which a license is not required under this act.” (Note: As written, the staffing ratio could be met with noncertified nurse’s aides and would exclude the use of registered professional nurses and licensed practical nurses.) The bill would specify that a person employed to provide certain specified basic services, such as housekeeping or food service duties, could not provide nursing care to patients. In addition, the bill would require a nursing home to maintain a ratio of patients to licensed nursing personnel of not more than thirty patients to one during the morning and afternoon shifts, and not more than fifty to one during the nighttime shift. Further, the bill would increase the required amount of hours of nursing care provided daily to each patient from 2.25 hours to 2.65 hours.

Licensed nursing homes that maintained a nursing home staff sufficient to provide three or more hours of care by unlicensed nursing personnel per patient per day would be exempted from the bill’s staff-to-patient requirements.

MCL 333.21720a

Analyst: S. Stutzky

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