

INCREASED STAFFING

ISSUE: The need for greater staffing requirements in nursing homes

BACKGROUND:

In March 2002, the Center for Medicare and Medicaid Services (CMS) published a report to Congress stating that 9 out of 10 nursing homes were inadequately staffed and linked this to increased injuries, complications and deaths to nursing home residents. CMS specified the minimum of patient-care hours a residents should to receive to avoid complications (4.1 hours of direct care per day) and concluded that increased staffing would help avoid critical quality-of-life problems.

In the 2001 session, the Arkansas Legislature passed a staffing bill, now Act 1397, requiring minimum staffing in nursing homes. Although this bill is a step in the right direction it has several severe limitations.

* When the requirements of this bill are met nursing homes provide 2.8 hours of direct care per resident day. This is 1.3 hours less than the CMS recommendation of 4.1 hours needed to provide the MINIMUM CARE necessary to prevent decline in the health of residents.

* Act 1397 allows nursing facilities to staff BELOW even the inadequate 2.8 hours of care for 20 per cent of the time, making a mockery of setting a minimum requirement.

* Grouping both licensed nursing staff, who may serve primarily in a managerial role, and nursing assistants, who provide 90 per cent of the direct hands-on care, into one category does not give a clear picture of the adequacy of staffing. The CMS study recommended between 2.4 and 2.8 hours (depending upon the acuity of residents) of nursing assistant time per resident per day - approximately the same amount of time required for both assistants and licensed staff under Act 1397.

POLICY IMPLICATIONS:

People die a slow agonizing death when there are not enough hands to provide basic care.

Numerous studies now indicate that adequate staffing is the number one determinant of good nursing home care.

Poor care is costly. It results in loss of independence for the individual who then needs more staff assistance, more medical care, more medications, supplementary feedings, more linen and laundry services, incontinence supplies, and increased hospitalization. Because the care of 70% of nursing home residents is funded with Medicaid dollars, this increased cost is money paid out by all of us.

Poor care leads to increased insurance costs for facilities. This has resulted in a major insurance crisis at this time, causing some nursing homes to go without insurance coverage.

RECOMMENDATIONS:

- 1) The Legislature repeal the portion of Act 1397 that allows nursing facilities to staff below the mandated minimums; require them to meet minimum requirements at all times.
- 2) The present minimum requirements be adjusted upwards to meet CMS recommended levels.
- 3) Require 2.8 hours of nursing assistant care per resident per day, apart from licensed staff requirements.
- 4) Increase the requirements for nursing assistant training and continuing education, and require that they have oversight from and the assistance of licensed personnel while providing direct care for residents.