

~~(I) A REGISTERED NURSE WHO IS LICENSED TO PRACTICE IN THE STATE; OR~~

~~(II) A PRACTICAL NURSE WHO IS LICENSED TO PRACTICE IN THE STATE.~~

~~(2) "UNLICENSED PERSONNEL" MEANS A CERTIFIED NURSE ASSISTANT, NURSE AIDE, CERTIFIED MEDICATION AIDE, OR OTHER NURSING HOME EMPLOYEE REQUIRED TO PROVIDE DIRECT NURSING CARE TO NURSING HOME RESIDENTS.~~

~~(B) A NURSING HOME SHALL EMPLOY STAFF SUFFICIENT IN NUMBER AND QUALIFICATIONS TO MEET THE SCHEDULED AND UNSCHEDULED NURSING CARE NEEDS OF THE RESIDENTS.~~

~~(C) TO QUALIFY FOR A LICENSE OR RENEWAL LICENSE:~~

~~(1) A NURSING HOME SHALL PROVIDE SUFFICIENT STAFF TO ENSURE AT LEAST A TOTAL OF 4 HOURS OF DIRECT NURSING CARE PER RESIDENT PER DAY;~~

~~(2) OF THE TOTAL DIRECT NURSING CARE HOURS PER PATIENT PER DAY, AT LEAST 3 HOURS OF THAT CARE SHALL BE PROVIDED BY UNLICENSED PERSONNEL AND AT LEAST 1 HOUR OF THAT CARE SHALL BE PROVIDED BY LICENSED PERSONNEL;~~

~~(3) LICENSED PERSONNEL AND UNLICENSED PERSONNEL MAY NOT PROVIDE FOOD PREPARATION, HOUSEKEEPING, LAUNDRY, OR MAINTENANCE SERVICES; AND~~

~~(4) AN INDIVIDUAL EMPLOYED TO PROVIDE FOOD PREPARATION, HOUSEKEEPING, LAUNDRY, OR MAINTENANCE SERVICES MAY NOT PROVIDE NURSING CARE TO RESIDENTS.~~

~~(D) (1) A NURSING HOME SHALL DISPLAY ON EACH FLOOR OF THE HOME A NOTICE THAT EXPLAINS THE CURRENT RATIO OF LICENSED PERSONNEL TO RESIDENTS AND UNLICENSED PERSONNEL TO RESIDENTS.~~

~~(2) THE NOTICE SHALL BE:~~

~~(I) POSTED IN A LOCATION THAT IS VISIBLE AND ACCESSIBLE TO RESIDENTS, FAMILY MEMBERS OF THE RESIDENTS, CAREGIVERS, AND POTENTIAL CONSUMERS; AND~~

~~(II) ON A FORM PROVIDED BY THE DEPARTMENT.~~

~~(E) (1) THE STAFFING REQUIREMENTS UNDER THIS SECTION ARE MINIMUM REQUIREMENTS AND MAY NOT BE CONSTRUED TO LIMIT THE ABILITY OF THE NURSING HOME TO EMPLOY ADDITIONAL STAFF.~~

~~(2) FOR A NURSING HOME OR GROUP OF NURSING HOMES, THE DEPARTMENT MAY INCREASE THE MINIMUM STAFF RATIO TO ADDRESS RESIDENT ACUITY LEVELS.~~