

~~Article Health General~~

19-1410.

(A) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

(1) ~~"LICENSED PERSONNEL" MEANS:~~

(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.~~