

Federal government to regulate staffing at nursing homes for first time

September 1 2023, by Cara Murez



Nursing homes will soon have to meet federal minimum staffing

requirements, the U.S. Department of Health and Human Services (HHS) announced Friday.

"Establishing minimum staffing standards for nursing homes will improve [resident](#) safety," HHS Secretary [Xavier Becerra](#) said in an agency [news release](#) announcing the proposal.

"When facilities are understaffed, residents suffer. They might be unable to use the bathroom, shower, maintain hygiene, change clothes, get out of bed or have someone respond to their call for assistance," Becerra said. "Comprehensive staffing reforms can improve working conditions, leading to [higher wages](#) and better retention for this dedicated workforce."

The proposal would set the minimum staffing that is equivalent to 3 hours per resident per day. Just over a half hour of that time would be from a registered nurse. Facilities would be required to have an RN on staff 24 hours a day, every day.

It is "an important first step," said [Chiquita Brooks-LaSure](#), who heads the U.S. Centers for Medicare and Medicaid Services, which oversees nursing homes.

Right now, average U.S. nursing home caregiver staffing is 3.6 hours per resident per day, with an RN working for more than a half hour of that time, according to the *Associated Press*.

Still, officials said most nursing homes would need to increase staffing.

"I would caution anyone who thinks that the status quo—in which there is no federal floor for nursing home staffing—is preferable to the standards we're proposing," Becerra aide [Stacy Sanders](#) told the *AP*.

"This standard would raise staffing levels for more than 75% of nursing

homes, bringing more nurse aides to the bedside and ensuring every nursing home has a [registered nurse](#) on site 24/7."

The United States has nearly 15,000 nursing homes that care for 1.2 million people.

A 2001 study funded by CMS had recommended a much higher threshold of 4.1 hours of nursing care per resident daily, the *AP* reported.

The announcement of these new, but lower than first sought, thresholds disappointed advocates, who have said the requirements only consider the point at which someone could experience harm not overall quality of life, the *AP* reported.

"This was not the time for an incremental step," [Richard Mollot](#), who leads the Long Term Care Community Coalition, told the *AP*. "You really had a once-in-a-generation opportunity."

On the other side of the issue, the American Health Care Association had lobbied against staffing mandates, citing insufficient Medicaid subsidies, hiring and retention issues and home closures.

AHCA President and CEO [Mark Parkinson](#) pointed out that "nursing homes are facing the worst labor shortage in our sector's history, and seniors' access to care is under threat.

"This unfunded mandate, which will cost billions of dollars each year, will worsen this growing crisis. It requires nursing homes to hire tens of thousands of nurses that are simply not there," he said in an association news release.

In all, 38 states and the District of Columbia have their own staffing

requirements, some quite low.

Residents and low-paid nurse's aides have long dealt with staffing issues, the *AP* reported.

Those shortages were exacerbated during the pandemic, when more than 167,000 U.S. nursing home residents died from the virus.

Yet staffing shrunk afterward, with 218,200 fewer employees now than in February 2020, according to the U.S. Bureau of Labor Statistics.

The proposed minimum staffing rule now enters a public comment period.

More information: The nonprofit KFF has more on [nursing homes and staffing](#).

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