

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Manisha Juthani, MD
Commissioner



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

BLAST FAX 2022-14

TO: All Nursing Home Administrators

FROM: Manisha Juthani, MD, Commissioner Department of Public Health

Deidre S. Gifford, MD, MPH, Commissioner of Social Services

CC: Heather Aaron, MPH, LNHA, Deputy Commissioner
Adelita, Orefice, MPM, JD, CHC, Chief of Staff
Barbara Cass, RN, Branch Chief, Healthcare Quality and Safety Branch
Donna Ortelle, Section Chief, Facility Licensing and Investigations Section

DATE: February 9, 2022

SUBJECT: Nursing Home Minimum Staffing Level Requirements

The Departments of Public Health and Social Services wish to express shared ongoing support and collaboration with the nursing home industry in addressing the COVID-19 public health emergency. Since 2020, the state has partnered with the industry to prioritize quality support of Connecticut nursing facility residents in the form of Medicaid rate increases, financial supports, distribution of millions of pieces of PPE, continued attention to infection control, testing, and COVID-19 vaccinations. The Departments recognize current challenges related to staffing shortages and therefore, wish to make you aware of legislation that passed during the 2021 session in section 10 of [Public Act 21-185](#) regarding minimum staffing level requirements for nursing homes. The Department of Social Services has made funding available to nursing homes to meet the staffing requirements.

Pursuant to this Public Act, the Department of Public Health is required to adopt regulations on or before January 1, 2022, that establish staffing level requirements where nursing homes must:



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1. Have a minimum of three hours of direct care per resident per day;
2. Have one full-time social worker per sixty residents; and
3. Lower the requirements for recreational staff as deemed appropriate by the Commissioner of Public Health.

The Department of Public Health is in the process of modifying subsections (m), (r) and (s) of Section 19-13-D8t of the Regulations of Connecticut State Agencies to comply with this public act and requirement number 3 outlined above. These subsections govern minimum staffing levels for nursing, nurse aides, social workers, and recreation in a nursing home. The required regulatory revisions will not be in place by January 1, 2022.

However, since these current regulations are minimum staffing levels, nursing homes are encouraged to begin to comply with staffing requirements 1 and 2 outlined above and in public Act 21-185 within their facilities so they can be prepared for the Department's adoption of the new regulations.

Nursing homes may apply to the Department of Social Services for funding supports. The Department has been allocated \$2,500,000 in state funding, for Medicaid, for each of the fiscal years ending June 30, 2022 and June 30, 2023, to support nursing homes in meeting the minimum staffing level requirement for social workers. DSS has also received an allocation of \$500,000 in state funding, for Medicaid, to support nursing homes in meeting the staffing requirement of three-hours of direct care per resident per day. Nursing homes not currently providing staffing to meet the staffing requirements, may complete an application to be considered for a Medicaid rate increases. Applications and information are now available at the DSS webpage. Please visit:

<https://portal.ct.gov/dss/Health-And-Home-Care/Medicaid-Nursing-Home-Reimbursement/Medicaid-Nursing-Home-Reimbursement>

If you have any further questions regarding the staffing levels outlined in the Public Act, please email the Department of Public Health at Dph.flisadmin@ct.gov. This mailbox is checked daily by supervisors in the Facility Licensing and Investigations Section.

Section 10 of Public Act No. 21-185

AN ACT CONCERNING NURSING HOMES AND DEMENTIA SPECIAL CARE UNITS.

Sec. 10. (NEW) (*Effective October 1, 2021*) (a) On or before January 1, 2022, the Department of Public Health shall (1) establish minimum staffing level requirements for nursing homes of three hours of direct care per resident per day, and (2) modify staffing level requirements for social work and recreational staff of nursing homes such that the requirements (A) for social work are one full-time social worker per sixty residents, and (B) for recreational staff are lower than the current requirements, as deemed appropriate by the Commissioner of Public Health.

(b) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 of the general statutes that set forth nursing home staffing level requirements to implement the provisions of this section.