

[First Reprint]

SENATE, No. 2878

STATE OF NEW JERSEY
216th LEGISLATURE

INTRODUCED MAY 14, 2015

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SYNOPSIS

Establishes minimum certified nurse aide-to-resident ratios in nursing homes.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee on December 10, 2015, with amendments.

(Sponsorship Updated As Of: 1/12/2016)

1 AN ACT concerning staffing requirements for nursing homes and
 2 supplementing Title 30 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
 5 of New Jersey:

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7 1. a. Notwithstanding any other staffing requirements as may
 8 be established by law, every nursing home as defined in section 2 of
 9 P.L.1976, c.120 (C.30:13-2) or licensed pursuant to P.L.1971, c.136
 10 (C.26:2H-1 et seq.) shall maintain the following minimum certified
 11 ¹**[nursing assistant-to-resident]** nurse aide¹ ratios:

12 (1) one certified ¹**[nursing assistant]** nurse aide¹ to every ¹**[six]**
 13 eight¹ residents for the day shift;

14 (2) one certified ¹**[nursing assistant]** nurse aide¹ to every
 15 ¹**[nine]** 10¹ residents for the evening shift; and

16 (3) one certified ¹**[nursing assistant]** nurse aide¹ to every ¹**[14]**
 17 16¹ residents for the night shift.

18 b. Upon any expansion of resident census by the nursing home,
 19 the nursing home shall be exempt from any increase in certified
 20 ¹**[nursing assistant]** nurse aide¹ staffing ratios for a period of nine
 21 consecutive shifts from the date of the expansion of the resident
 22 census.

23 c. (1) The computation of certified ¹**[nursing assistant]** nurse
 24 aide¹ minimum staffing ratios shall be carried to the hundredth
 25 place.

26 (2) If the application of the ratios listed in subsection a. of this
 27 section results in other than a whole number of certified ¹**[nursing**
 28 **assistant]** nurse aides¹ for a shift, the number of required certified
 29 ¹**[nursing assistant]** nurse aides¹ shall be rounded to the next higher
 30 whole number when the resulting ratio, carried to the hundredth
 31 place, is fifty-one hundredths or higher.

32 (3) All computations shall be based on the midnight census for
 33 the day in which the shift begins.

34 d. Nothing in this section shall be construed to affect any
 35 minimum staffing requirements for nursing homes as may be
 36 required by the Commissioner of Health for staff other than
 37 certified ¹**[nursing assistant]** nurse aides¹, or to restrict the ability
 38 of a nursing home to increase staffing levels, at any time, beyond
 39 the established minimum.

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41 2. Pursuant to the “Administrative Procedure Act,” P.L.1968,
 42 c.410 (C.52:14B-1 et seq.), the Commissioner of Health shall adopt
 43 rules and regulations to effectuate the purposes of this act.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
 not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SHH committee amendments adopted December 10, 2015.

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1 3. This act shall take effect of the first day of the fourth month
2 next following the date of enactment, but the Commissioner of
3 Health may take such anticipatory administrative action in advance
4 thereof as shall be necessary for the implementation of this act.