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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 May 21, 2018, with amendments.
AN ACT concerning staffing requirements for nursing homes and supplementing Title 30 of the Revised Statutes.

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

1. a. Notwithstanding any other staffing requirements as may be established by law, every nursing home as defined in section 2 of P.L.1976, c.120 (C.30:13-2) or licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.) shall maintain the following minimum certified nurse aide-to-resident ratios:
   (1) one certified nurse aide to every eight residents for the day shift;
   (2) one certified nurse aide to every 10 residents for the evening shift; and
   (3) one certified nurse aide to every 16 residents for the night shift.

   b. Upon any expansion of resident census by the nursing home, the nursing home shall be exempt from any increase in certified nurse aide staffing ratios for a period of nine consecutive shifts from the date of the expansion of the resident census.

   c. (1) The computation of certified nurse aide minimum staffing ratios shall be carried to the hundredth place.
   (2) If the application of the ratios listed in subsection a. of this section results in other than a whole number of certified nurse aides for a shift, the number of required certified nurse aides shall be rounded to the next higher whole number when the resulting ratio, carried to the hundredth place, is fifty-one hundredths or higher.
   (3) All computations shall be based on the midnight census for the day in which the shift begins.

   d. Nothing in this section shall be construed to affect any minimum staffing requirements for nursing homes as may be required by the Commissioner of Health for staff other than certified nurse aides, or to restrict the ability of a nursing home to increase staffing levels, at any time, beyond the established minimum.

   e. The minimum certified nurse aide-to-resident ratios required by this section shall not apply to a pediatric long-term care facility licensed in accordance with N.J.A.C.8:33H-1.5.

   f. The Commissioner of Health shall adopt rules, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), concerning the conspicuous posting in nursing homes of the minimum certified nurse aide-to-resident ratios required by this act, any required reporting by nursing homes of compliance with the provisions of this act, any mechanisms for enforcement, and the

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:
*Senate SHH committee amendments adopted May 21, 2018.*
manner in which residents, their families or representatives, or other individuals may report failures of nursing homes to maintain the minimum certified nurse aide-to-resident ratios required by this act.

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

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