



Senate

General Assembly

File No. 101

January Session, 2025

Substitute Senate Bill No. 1279

Senate, March 18, 2025

The Committee on Aging reported through SEN. HOCHADEL of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING NURSING HOME STAFFING RATIOS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-563h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2026*):

3 (a) As used in this section, "direct care" means hands-on care
4 provided by a registered nurse, licensed pursuant to chapter 378,
5 licensed practical nurse, licensed pursuant to chapter 378, or a nurse's
6 aide, registered pursuant to chapter 378a, to residents of nursing homes,
7 as defined in section 19a-563, including, but not limited to, assistance
8 with feeding, bathing, toileting, dressing, lifting and moving,
9 administering medication, promoting socialization and personal care
10 services, but does not include food preparation, housekeeping, laundry
11 services, maintenance of the physical environment of the nursing home
12 or performance of administrative tasks.

13 (b) On [or before January 1, 2022] and after July 1, 2026, the
14 Department of Public Health shall (1) establish minimum staffing level

15 requirements for nursing homes of [three hours of direct care per
16 resident per day, and (2) modify staffing level requirements for social
17 work and recreational staff of nursing homes such that the requirements
18 (A) for social work, a number of hours that is based on one full-time
19 social worker per sixty residents and that shall vary proportionally
20 based on the number of residents in the nursing home, and (B) for
21 recreational staff are lower than the current requirements] at least three
22 and six-tenths hours of direct care per resident per day, and (2) modify
23 staffing level requirements for social work and recreational staff of
24 nursing homes such that the requirements (A) for social work are one
25 full-time social worker per sixty residents, and (B) for recreational staff
26 are higher than the requirements prior to January 1, 2024, as deemed
27 appropriate by the Commissioner of Public Health.

28 (c) The commissioner shall adopt regulations in accordance with the
29 provisions of chapter 54 [that set forth nursing home staffing level
30 requirements] to implement the provisions of this section. The
31 Commissioner of Public Health may implement policies and procedures
32 necessary to administer the provisions of this section while in the
33 process of adopting such policies and procedures as regulations,
34 provided notice of intent to adopt regulations is published on the
35 eRegulations System not later than twenty days after the date of
36 implementation. Policies and procedures implemented pursuant to this
37 section shall be valid until the time final regulations are adopted.

38 Sec. 2. Section 19a-562h of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective July 1, 2026*):

40 (a) [If] On and after July 1, 2026, if the Commissioner of Public Health
41 finds that a nursing home facility has substantially failed to comply with
42 a nursing home facility staffing level requirement established pursuant
43 to [the regulations of Connecticut state agencies,] section 19a-563h, as
44 amended by this act, such violation shall be considered a class B
45 violation pursuant to section 19a-527, and the commissioner may (1)
46 take any disciplinary action against the nursing home facility permitted
47 under section 19a-494, and (2) issue or cause to be issued a citation to

48 the licensee of such nursing home facility pursuant to the provisions of
49 section 19a-524, as amended by this act.

50 (b) A citation of a nursing home facility staffing level requirement set
51 forth in the regulations of Connecticut state agencies shall be
52 prominently posted in the nursing home facility and included in the
53 listing prepared by the Department of Public Health pursuant to the
54 provisions of section 19a-540.

55 (c) The Commissioner of Public Health shall adopt regulations, in
56 accordance with chapter 54, to implement the provisions of this section.

57 Sec. 3. Section 19a-524 of the general statutes is repealed and the
58 following is substituted in lieu thereof (*Effective July 1, 2026*):

59 If, upon review, investigation or inspection pursuant to section 19a-
60 498, the Commissioner of Public Health determines that a nursing home
61 facility or residential care home has violated any provision of section
62 17a-876, 19a-491a to 19a-491c, inclusive, 19a-493a, 19a-521 to 19a-529,
63 inclusive, 19a-531 to 19a-551, inclusive, [or] 19a-553 to 19a-555,
64 inclusive, or, on and after July 1, 2026, section 19a-563h, as amended by
65 this act, or any provision of any regulation of Connecticut state agencies
66 relating to licensure, the Fire Safety Code or the operation or
67 maintenance of a nursing home facility or residential care home, which
68 violation has been classified in accordance with section 19a-527, the
69 commissioner may immediately issue or cause to be issued a citation to
70 the licensee of such nursing home facility or residential care home.
71 Governmental immunity shall not be a defense to any citation issued or
72 civil penalty imposed pursuant to this section or sections 19-525 to 19a-
73 528, inclusive. Each such citation shall be in writing, provide notice of
74 the nature and scope of the alleged violation or violations, and include,
75 but not be limited to, the citation and notice of noncompliance issued in
76 accordance with section 19a-496. Each citation and notice of
77 noncompliance issued under this section shall be sent to the licensee
78 electronically in a form and manner prescribed by the commissioner or
79 by certified mail at the address of the nursing home facility or residential
80 care home in issue. A copy of such citation and notice of noncompliance

81 shall also be sent to the licensed administrator at the address of the
82 nursing home facility or residential care home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2026</i>	19a-563h
Sec. 2	<i>July 1, 2026</i>	19a-562h
Sec. 3	<i>July 1, 2026</i>	19a-524

AGE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 26 \$	FY 27 \$
Social Services, Dept.	GF - Cost	None	\$12.1 million
Public Health, Dept.	GF - Potential Revenue Gain	None	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a cost to the Department of Social Services (DSS) beginning in FY 27 associated with changing staffing level requirements for nursing homes. Increasing the number of direct care hours from 3.0 hours per resident per day to 3.6 hours is anticipated to cost nursing homes approximately \$24.2 million.¹ The actual state cost to staff at the proposed levels will depend on the number and level of staff required and how such costs are incorporated into Medicaid payments to nursing homes (with a state share of costs at approximately 50%).

The bill may also increase costs to DSS to the extent that nursing homes hire additional recreational staff to meet the new minimum requirements to be established by DPH.

Sections 2 and 3 make a nursing facility's failure to comply with staffing level requirements under the bill a Class B violation, which may result in a revenue gain to the General Fund beginning in FY 27 from civil penalties of up to \$10,000 per violation. The extent of the revenue

¹ Based on 2023 annual nursing home cost report data.

gain, if any, is dependent on the number of violations and the Department of Public Health's discretion regarding civil penalties.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 1279*****AN ACT CONCERNING NURSING HOME STAFFING RATIOS.*****SUMMARY**

This bill changes the staffing level requirements the Department of Public Health (DPH) must set for nursing homes and adds to the penalties that apply for violating them. By law, unchanged by the bill, the commissioner must adopt regulations to implement the staffing requirements.

First, the bill increases by 36 minutes the minimum daily per resident direct care staffing level, from current law's three hours (180 minutes) to three and six-tenth hours (216 minutes). By law "direct care" is hands-on care from a registered nurse, licensed practical nurse, or a nurse's aide, which includes things like feeding, bathing, dressing, and promoting socialization.

The bill makes the law's social worker staffing requirement a set one full-time worker per 60 residents standard, rather than current law's proportional standard, which is a number of hours based on one full-time worker per 60 residents. It also requires the commissioner to change the mandatory level for recreational staff to one that is higher than that which existed before 2024 (approximately 40 staff minutes per resident per day), as she deems appropriate. Current law requires her to set this level at one that is lower than what it was in 2021.

The bill makes substantially failing to comply with the above staffing level requirements a class B violation, which by law, is punishable by a civil penalty of up to \$10,000. Class B violations are those with potential for death or serious harm in the reasonably foreseeable future to any patient in the nursing home facility. It also makes the failure subject to the commissioner's disciplinary authority (e.g., suspending a license or

certificate) against a nursing home or have a citation issued to its licensee, rather than just being a failure to meet the staffing levels set in regulation.

Lastly, the bill (1) requires the commissioner to adopt regulations on the enforcement actions for failing to comply with the staffing level requirements and (2) makes technical and conforming changes.

EFFECTIVE DATE: July 1, 2026

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute

Yea 10 Nay 3 (03/04/2025)