



DISTRICT OF COLUMBIA REGULATION GOVERNING STAFFING OF NURSING FACILITIES AMENDED

The Council for the District of Columbia has approved the Department of Health's requested amendments to Chapter 32 of Title 22 of the District of Columbia Municipal Regulations, through a Notice of Final Rulemaking. The amendment was published as emergency and proposed rulemaking on February 11, 2005. No comments were received, and the final amendment embodies no changes from the emergency enactment. The Director gave notice of the final rule making on April 8, 2005.

Importantly, the amendment changes staffing requirements for nursing facilities. The Regulations are already effective – as of January 1, 2005 - pursuant to the emergency enactment. In part, the amended regulation requires that each facility employ sufficient nursing staff to provide a minimum daily average of 3.5 nursing hours per resident per day. Further, this minimum staffing requirement **must** be adjusted upward for residents with higher nursing care needs and for residents with acute conditions. A facility may qualify for a waiver from the staffing requirement if the facility's deficiency record and demonstrated level of care meet certain threshold requirements.

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