Legislation Details (With Text)

File #:	Res 0223-2002	**Version:**	*	**Name:**	Nursing Homes, Regulate Staffing and Training
Type:	Resolution			**Status:**	Adopted
				In control:	Committee on Aging
On agenda:	4/24/2002				
Enactment date:				**Enactment #:**	

Title: Resolution calling upon the Legislature of the State of New York to enact legislation to regulate staffing and training standards in nursing homes in New York State.

Sponsors:

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript, 3. Hearing Transcript - Stated Meeting

Date	Ver.	Action By	Action	Result
4/24/2002	*	City Council	Introduced by Council	
4/24/2002	*	City Council	Referred to Comm by Council	
9/17/2002	*	Committee on Aging	Hearing Held by Committee	
9/17/2002	*	Committee on Aging	Approved by Committee	Pass
9/25/2002	*	City Council	Approved, by Council	Pass

Res. No. 223

Resolution calling upon the Legislature of the State of New York to enact legislation to regulate staffing and training standards in nursing homes in New York State.

By the Speaker (Council Member Miller) and Council Members Foster, Addabbo, Baez, Comrie, Davis, Diaz, Fidler, Jackson, Martinez, Monserrate, Nelson, Perkins, Rivera, Sanders, Serrano, Stewart, Felder and Gallagher; also Council Members Clarke, Gerson, Golden and Oddo

Whereas, In a 2000 report to Congress based on eight years of exhaustive research by the Department of Health and Human Services, the Clinton administration found that most nursing homes are understaffed to the point that patients may be endangered; and

Whereas, In this same report, federal health officials concluded that understaffing has contributed to an increase in the incidence of severe bedsores, malnutrition and abnormal weight loss among nursing home residents; and

Whereas, Many of these nursing home residents end up hospitalized for life-threatening infections, dehydration, congestive heart failure, and other problems that could probably have been prevented if the nursing homes had been sufficiently staffed; and

Whereas, Inadequate staffing has also been found to lead to a low incidence of resident participation in nursing home activities, which can result in the deterioration in the quality of daily living; and

Whereas, Federal law and regulations regarding nursing home staffing are vague, requiring only that nursing homes have "sufficient staff" to provide the services necessary to help each resident achieve the best possible level of practicable physical, mental and psychosocial well-being; and

Whereas, The vagueness of the "sufficient staff" quota has resulted in a serious crisis affecting nursing homes in New York State; and

Whereas, According to the Nursing Home Community Coalition (NHCC), nurse aides provide 90 percent of all hands-on care given to nursing home residents; and

Whereas, According to a study conducted by the Health Care Financing Administration (HCFA) in 2000, 98 percent of New York State nursing homes do not provide enough staff members to care for the basic needs of their residents; and

Whereas, The New York State Legislature should require that minimum staffing standards be implemented to ensure that every nursing home employ sufficient personnel to meet the needs of each resident; and

Whereas, These standards should include explicit ratios of on-hand staff per number of residents at a nursing home at any given point in time; and

Whereas, Experts recommend a minimum ratio of one caregiver per five residents, with upward staffing adjustments for residents with higher nursing care needs; and

Whereas, In addition to the necessity of adequate staff ratios, nursing home staff members must also be well-trained and qualified to meet the multiple and complex needs of their residents; and

Whereas, Inadequate education and training places the well-being of nursing home residents at risk; and

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Whereas, According to State regulations, nurse aides must currently receive 100 hours of training; and
Whereas, The NHCC Staffing Subcommittee found that the 100-hour training requirement is not sufficient to adequately train nurse aides in areas crucial for the care of the increasingly complicated medical and social needs of nursing home residents; and
Whereas, The NHCC Staffing Subcommittee concluded that the current nurse aide curriculum does not at all address issues that have been identified by aides, residents, and families as crucial to the job; and
Whereas, The Commissioner of the New York State Department of Health (NYSDOH) should be required to promulgate rules and regulations establishing higher staffing training standards, in addition to minimum staffing requirements; and
Whereas, The NYSDOH should also be required to prepare an annual report on each nursing home to be made available to the public and include: the incidence of adverse patient care incidents, the methods used for determining and adjusting staffing ratios, patient care needs, and each nursing home's compliance with NYSDOH standards and data regarding complaints made against any nursing facility, the substantiality, after investigation, of such complaints, and any corrective actions required; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Legislature of the State of New York to enact legislation to regulate staffing and training standards in nursing homes in New York State.

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