



From: [COMPLAINTS, NCF](#)
To: mcgoovl@gmail.com
Subject: Response
Date: Monday, February 22, 2021 11:06:28 AM

Dear Ms. McGoogan:

The Department of Health, Division of Nursing Care Facilities (Department) is in receipt of your concerns, which was forwarded from the Emergency Preparedness & Response agency, regarding the staffing at Vincentian Home.

The Department is responsible for Regulatory oversight of long term care nursing facilities in Pennsylvania. Assisted living and personal care facilities are overseen by the Department of Human Services and can be reached by calling 1-877-401-8835. Your email which was forwarded was not clear about which level of care you had concerns with.

Long term care nursing facilities have both state and federal regulations that must be followed. Below is the Pennsylvania Code regarding staffing in skilled nursing facilities and generally states 1 staff per 20 residents. Please note that "nursing staff" includes nurse aids as well as licensed staff on the unit, commonly referred to as the "Med Nurse". Federal regulations do not have a specific staff to resident ratio but instead state that the facility must have enough staff to meet the needs of the residents. The Pennsylvania Legislature is currently in the process of reviewing this State Code, however the regulations below currently remain in place.

Should you decide you would like to lodge a complaint with specific concerns, regarding a specific nursing home or a hospital, you may provide this information by mail, email, online complaint form on www.health.state.pa.us or you may call our hotline at 1-800-254-5164 where staff will assist you in providing the needed information to lodge a complaint.

§ 211.12. Nursing services.

- (a) The facility shall provide services by sufficient numbers of personnel on a 24-hour basis to provide nursing care to meet the needs of all residents.
- (b) There shall be a full-time director of nursing services who shall be a qualified licensed registered nurse.
- (c) The director of nursing services shall have, in writing, administrative authority, responsibility and accountability for the functions and activities of the nursing services staff, and shall serve only one facility in this capacity.
- (d) The director of nursing services shall be responsible for:
 - (1) Standards of accepted nursing practice.

(2) Nursing policy and procedure manuals.

(3) Methods for coordination of nursing services with other resident services.

(4) Recommendations for the number and levels of nursing personnel to be employed.

(5) General supervision, guidance and assistance for a resident in implementing the resident's personal health program to assure that preventive measures, treatments, medications, diet and other health services prescribed are properly carried out and recorded.

(e) The facility shall designate a registered nurse who is responsible for overseeing total nursing activities within the facility on each tour of duty each day of the week.

(f) In addition to the director of nursing services, the following daily professional staff shall be available.

(1) The following minimum nursing staff ratios are required:

Census Day Evening Night

59 and under 1 RN 1 RN 1 RN or 1 LPN

60/150 1 RN 1 RN 1 RN

151/250 1 RN and 1 LPN 1 RN and 1 LPN 1 RN and 1 LPN

251/500 2 RNs 2 RNs 2 RNs

501/1,000 4 RNs 3 RNs 3 RNs

1,001/Upward 8 RNs 6 RNs 6 RNs

(2) When the facility designates an LPN as a nurse who is responsible for overseeing total nursing activities within the facility on the night tour of duty in facilities with a census of 59 or under, a registered nurse shall be on call and located within a 30-minute drive of the facility.

(g) There shall be at least one nursing staff employee on duty per 20 residents.

(h) At least two nursing service personnel shall be on duty.

(i) A minimum number of general nursing care hours shall be provided for each 24-hour period. The total number of hours of general nursing care provided in each 24-hour period shall, when totaled for the entire facility, be a minimum of 2.7 hours of direct resident care for each resident.

(j) Nursing personnel shall be provided on each resident floor.

(k) Weekly time schedules shall be maintained and shall indicate the number and classification of nursing personnel, including relief personnel, who worked on each tour of duty on each nursing unit.

(l) The Department may require an increase in the number of nursing personnel from the minimum requirements if specific situations in the facility—including, but not limited to, the physical or mental

condition of residents, quality of nursing care administered, the location of residents, the location of the nursing station and location of the facility—indicate the departures as necessary for the welfare, health and safety of the residents.

Authority

The provisions of this § 211.12 amended under section 803 of the Health Care Facilities Act (35 P. S. § 448.803); and section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

Source

The provisions of this § 211.12 adopted August 29, 1975, effective September 1, 1975, 5 Pa.B. 2233; amended January 31, 1987, effective July 1, 1987, except subsections (e) and (f) effective July 1, 1988, 17 Pa.B. 514; amended July 23, 1999, effective July 24, 1999, 29 Pa.B. 3999. Immediately preceding text appears at serial pages (240337) to (240339).