

FACT SHEET

- **The Lawsuit:** seeks to compel a number of large California nursing home chains to staff their facilities in compliance with the minimum level required under California Health & Safety Code Section 1276.5.
- **Section 1276.5:** mandates a minimum of 3.2 hours of skilled nursing staff time per nursing home resident per 24 hour day. For example: A home with 60 residents must legally provide 60 x 3.2 or a total of 192 hours per day. With three 8-hour shifts per 24 hour day, this breaks down to 64 hours total per shift. At 8 hours per individual shift, 8 skilled nursing personnel would be needed per shift (8 x 8 = 64) to fulfill the staffing requirement for a 60-resident home. All of the defendants are operating homes at well below this level. Total Defendants: 114

- **The Cases:**

FATE v. Covenant Care California, Inc., et al. Alameda Sup. Ct. No. *RG 03087211*

- Operating homes staffed as low as 2.65.
16 homes named as defendants.

FATE v. Kindred Healthcare, Inc., et al. San Francisco Sup. Ct. No. *CGC-03-418494*

- Operating homes staffed as low as 2.84.
7 homes named as defendants.

FATE v. Mariner Health Care Inc., et al. Alameda Sup. Ct. No. *RG 03083528*

- Operating homes staffed as low as 2.81.
24 homes named as defendants.

FATE v. Pleasant Care Corporation, et al. Alameda Sup. Ct. No. *RG 03087224*

- Operating homes staffed as low as 2.51.
15 homes named as defendants.