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CALIFORNIA LAW MAKERS PASS LEGISLATION TO INCREASE MINIMUM STAFFING REQUIREMENTS IN NURSING HOMES

California law makers passed legislation to increase minimum staffing requirements in nursing homes to 3.5 hours per day per patient from the previous 3.2 minimum. The new staffing ratio became law on July 1, 2018. However, the nursing home industry was able to add a waiver to the regulation which would allow the industry to not meet the staffing requirements if proven that there is a lack of people in the workforce to hire. FATE strongly urged the department to not allow this waiver and if it was allowed, to stop admissions into nursing homes that cannot meet the required minimum staffing. The nursing home industry lobby group was able to convince the CA Department of Health to not mandate that they stop admissions when waivers are requested. The department has yet to approve any facility for a waiver; however, the department has received over 243 needs waivers and 167 workforce shortage waivers as of 8/9/18. Facilities are required to post the notice in the facility and to notify potential patients prior to having them sign their admission agreement that the facility has applied for a waiver. FATE's position has always been that if the nursing home is not staffed to meet the needs of the patients, then that is automatic neglect.

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