



MINORITY STAFF
COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES
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Summary

The Nursing Home Staffing Act of 2005

BACKGROUND

Numerous studies have found that the 17,000 nursing homes in this country are severely understaffed. In March 2002, researchers at the Department of Health and Human Services (HHS) concluded that 90% of nursing homes have staffing levels that are too low to provide quality care. The researchers identified specific minimum staffing levels that would improve the care received by nursing home residents. However, these staffing levels have not been implemented. In order to ensure that this important research is not ignored, the Nursing Home Staffing Act of 2005 would establish the minimum nurse staffing levels identified by HHS researchers.

MANDATORY NURSE STAFFING LEVELS

The bill requires that nursing homes comply with HHS-identified staffing levels for registered nurses, licensed nurses, and certified nurse aides. These staffing levels would require that all nursing home residents receive at least 4.1 hours of nursing care each day. Under the bill, these staffing levels must be achieved within two years after the date of enactment, except that if the HHS Secretary determines that a two-year implementation period is not feasible, he can delay implementation until five years after the date of enactment.

INCREASED FUNDING

The bill increases resources to nursing homes to comply with these staffing levels. The bill reinstates the "Boren Amendment," which, until its repeal by Congress in 1997, guaranteed "reasonable and adequate" Medicaid reimbursements for providing quality care. The bill also helps fund the additional staffing by increasing the federal Medicaid match to states for payment of health care services by 1.5%.

FINANCIAL ACCOUNTABILITY

In order to ensure that the increased federal resources are being used to hire additional nursing staff, the bill authorizes state inspectors to examine the financial records of nursing homes.

ORGANIZATIONAL SUPPORT

The bill has been endorsed by the following groups: the National Coalition for Nursing Home Reform, the American Nurses Association, the Service Employees International Union, and the Alliance for Retired Americans.