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HOUSE BILL 578

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Kandy Cordova

AN ACT

RELATING TO NURSING HOMES; ESTABLISHING A PILOT PROGRAM TO
DETERMINE NURSING HOME STAFFING NEEDS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. NURSING HOMES--ACUITY-BASED STAFFING--PILOT.--

A. The department of health, in cooperation with the department's long-term care quality cabinet acuity-based staffing committee, the state agency on aging and the human services department, shall establish a year-long acuity-based nursing home staffing pilot program to determine appropriate patient-to-staff ratios in nursing homes.

B. The pilot program shall be based on best practices and shall include experience in existing nursing homes licensed by the department of health and owned and operated:

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- 1 (1) by the state of New Mexico;
- 2 (2) by a nonprofit organization; and
- 3 (3) by a proprietary organization.

4 C. The program shall determine appropriate staffing
5 level needs, including all direct-care nursing and personal
6 care staff, based on acute nursing care in a twenty-four hour
7 day and on a per-shift basis. Evaluation criteria shall
8 thoroughly measure utilization of acute care services and shall
9 include quality of care and consumer satisfaction measures.

10 D. For purposes of this section, "direct-care
11 nursing and personal care staff" means registered nurses,
12 licensed practical nurses, certified nursing assistants and
13 others whose primary responsibilities to are provide direct
14 care to nursing home patients and excludes other nursing home
15 staff members and nurses licensed under Chapter 61, Article 3
16 NMSA 1978, whose primary responsibilities are to provide
17 administrative rather than direct-care services.

18 E. The department of health shall present a report
19 detailing results of the pilot program and legislative
20 recommendations to the interim legislative health and human
21 services committee and to the legislative finance committee at
22 their respective July 2004 meetings.

23 Section 2. APPROPRIATION.--One million five hundred
24 thousand dollars (\$1,500,000) is appropriated from the general
25 fund to the department of health for the purpose of

1 establishing a year-long acuity-based nursing home staffing
2 pilot program. This appropriation may be used to match any
3 federal funds available to implement the program. Any
4 unexpended or unencumbered balance remaining at the end of
5 fiscal year 2004 shall revert to the general fund.

6 Section 3. EFFECTIVE DATE. --The effective date of the
7 provisions of this act is July 1, 2003.

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