

ICF/DD-Nursing CHANGES IN REQUIRED STAFF HOURS

In November 1990, a lawsuit was settled between California Association of Health Facilities (CAHF) and the Department of Health Services (DHS). As a result of the lawsuit, changes were made to Title 22 regulations for ICF/DD, ICF/DD-H and ICF/DD-N facility types. Regulation changes to ICF/DD-N have not been promulgated so this document serves as the most current information identifying changes to the regulations.

Note these changes to ensure that your ICF/DD-N program plan reflects this update when addressing direct care staffing, QMRP hours and in-service training hours.

The following changes are currently in effect:

INTERMEDIATE CARE FACILITY/DEVELOPMENTALLY DISABLED – NURSING (ICF DD-N)

QMRP TIME **Section 73873(b)**

PREVIOUS: The qualified mental retardation professional shall provide a minimum of 1.5 hours of service per week per client.

AMENDED: *The qualified mental retardation professional shall provide a minimum of 1.75 hours of service per week per client.*

DIRECT-CARE STAFF HOURS **Section 73873(i)**

PREVIOUS: Each facility shall employ direct-care staff to provide nursing and program services to clients twenty-four (24) hours a day as follows:

| Number Of Clients | Average Hours Per Day | Minimum Hours per Day | | Total Hours Per Calendar Week |
|-------------------|-----------------------|-----------------------|--------------|-------------------------------|
| | | Licensed | Non Licensed | |
| 4 to 6 | 36 | 8 | 22 | 252 |
| 7 | 36 | 8 | 22 | 252 |
| 8 | 40 | 9 | 24 | 280 |
| 9 | 44 | 10 | 27 | 308 |
| 10 | 48 | 11 | 29 | 336 |
| 11 | 54 | 12 | 33 | 378 |
| 12 | 58 | 13 | 35 | 406 |
| 13 | 62 | 14 | 38 | 434 |
| 14 | 68 | 15 | 42 | 476 |
| 15 | 72 | 16 | 44 | 504 |

AMENDED: *Each facility shall employ direct-care staff to provide nursing and program services to clients twenty-four (24) hours a day as follows:*

| Number Of Clients | Average Hours Per Day | Minimum Hours Per Day | | Total Hours Per Calendar Week |
|-------------------|-----------------------|-----------------------|--------------|-------------------------------|
| | | Licensed | Non-licensed | |
| 4 to 6 | 40 | 8 | 22 | 280 |
| 7 | 40 | 8 | 22 | 280 |
| 8 | 44 | 9 | 24 | 308 |
| 9 | 48 | 10 | 27 | 336 |
| 10 | 52 | 11 | 29 | 364 |
| 11 | 59 | 12 | 33 | 413 |
| 12 | 63 | 13 | 35 | 441 |
| 13 | 67 | 14 | 38 | 469 |
| 14 | 74 | 15 | 42 | 518 |
| 15 | 78 | 16 | 44 | 546 |

IN-SERVICE TRAINING
Section 73874(c)

PREVIOUS: The facility shall require that all direct-care staff receive at least two (2) hours per month, twenty-four (24) hours annually, of planned in-service education which shall be documented...

AMENDED: *The facility shall require that all direct-care staff receive at least three (3) hours per month, thirty-six (36) hours annually, of planned in-service education which shall be documented...*

The remainder of the subsection will remain unchanged.