

### **10A NCAC 13B .1912 NURSE STAFFING REQUIREMENTS**

(a) A licensed facility shall provide licensed nursing personnel sufficient to accomplish the following:

- (1) patient needs assessment,
- (2) patient care planning, and
- (3) supervisory functions in accordance with the level of patient or resident care advertised or offered by the facility.

The facility also shall provide other nursing personnel sufficient to assure that at least activities of daily living, personal grooming, restorative nursing actions and other health care needs as identified in each patient's or resident's plan of care are met.

(b) A licensed multi-storied facility (one having more than one story) shall provide at least one person on duty on each patient care floor at all times.

(c) Daily direct patient care nursing staff, licensed and unlicensed, shall equal or exceed 2.1 nursing hours per patient. (This is sometimes referred to as nursing hours per patient day or NHPPD or NH/PD.)

- (1) Inclusive in these figures is the requirement that at least one licensed nurse is on duty for direct patient care at all time; and
- (2) Nursing care shall include the services of a registered nurse for at least eight consecutive hours a day, seven days a week. This coverage can be spread over more than one shift if such a need exists. The Director of Nursing may be counted as meeting the requirements for both the Director of Nursing and patient and resident care staffing for facilities of a total census of 60 beds or less.

(d) Nursing support personnel including ward clerks, secretaries, nurse educators and persons in primarily administrative management positions and not actively involved in direct patient care shall not be counted toward compliance with minimum daily requirements for direct care staffing.

(e) All exceptions to meeting minimum staffing requirements shall be reported to the Department at the end of each month. Staffing waivers granted by the federal government for Medicare and Medicaid certified beds shall be accepted for licensure purposes.

(f) The ratio of male to female nurse aides will be determined by the needs of the patients, particularly the numbers of male patients requiring assistance with personal care.

*History Note: Authority G.S. 131E-79; 42 U.S.C. 1396 r (b)(4)(C);  
Eff. February 1, 1986;  
Amended Eff. March 1, 1990;  
Temporary Amendment Eff. October 1, 1990 For a Period of 142 Days to Expire on February 28, 1991;  
Amended Eff. March 1, 1991;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2017.*