

# Step by Step

## Reform of Requirements for Long-Term Care Facilities

Nursing Services (§483.35)	
ACTION ITEM	WHY <i>(final rule language)</i>
<p>Update nursing services policy to include the added language noted in red.</p> <p>Phase I:</p> <ul style="list-style-type: none"> <li>• <i>with the appropriate competencies and skills sets</i></li> <li>• <i>assure resident safety</i></li> </ul> <p>Phase II:</p> <ul style="list-style-type: none"> <li>• <i>and considering the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e)</i></li> </ul>	<p><b>§ 483.35 Nursing Services</b></p> <p>The facility must have sufficient nursing staff <i>with the appropriate competencies and skills sets</i> to provide nursing and related services to <i>assure resident safety and</i> attain or maintain the highest practicable physical, mental, and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care <i>and considering the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment required at §483.70(e). [As linked to Facility Assessment, §483.70(e), will be implemented beginning November 28, 2017 (Phase 2)]</i></p>
Determine competency and skill set needs based on resident assessments and care plans.	<p><b>§483.35(a)(3)</b> <i>The facility must ensure that licensed nurses have the specific competencies and skill sets necessary to care for residents' needs, as identified through resident assessments, and described in the plan of care.</i></p>
<p>During root cause analysis of adverse events, incorporate staffing consideration. Include this in the QA&amp;A (QAPI) meeting.</p> <p>Determine if staff assessed the need, implemented a care plan, and monitored/measured the outcome (AIM – Assessed, Implemented, Monitored).</p>	<p><b>§483.35(a)(4)</b> <i>Providing care includes but is not limited to assessing, evaluating, planning and implementing resident care plans and responding to resident's needs.</i></p> <p>The determination of sufficient staff will be made based on the staff's ability to provide needed care to residents that enable them to reach their highest practicable physical, mental and psychosocial well-being. The ability to meet the requirements of §§483.13, 483.15(a), 483.20, 483.25 and 483.65 determines sufficiency of nurse staffing.</p>

If a nursing waiver is granted, then the facility must also notify the resident representative.

## F355 – Nursing Waivers

### §483.35(e) Nursing facilities

Waiver of requirement to provide licensed nurses on a 24-hour basis.

(7) The nursing facility that is granted such a waiver by a State notifies residents of the facility *and their resident representatives* of the waiver.