

Section 483.35 Nursing Services

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Implementation Date: **November 28, 2016** Section 483.35 regarding requirements for nursing services was formerly located at section 483.30. The former regulations addressed certain aspects of facility staffing but left gaps related to a number of areas such as the competencies of licensed nurses and the need to take into account resident acuity. The new rule adopts a competency-based staffing approach which requires the facility to evaluate its population and its resources in accordance with section 483.70(b), including the number and acuity of the residents, the range of diagnoses and resident needs as well as the training, experience, and skill sets of staff and to then base staffing plans and assignments on these assessments. In the new rule, nurse aides are included in the term "other nursing personnel".

Sections 483.35(a)(3) and (4) specify that the facility ensure licensed nurses have the competencies and skill sets necessary to care for residents' needs as identified through resident assessments and as described in each resident's individual plan of care. Further, caring for residents' needs includes but is not limited to assessing, evaluating, planning and implementing resident care plans and responding to each resident's needs. The provisions relating to nurse aides, previously located in section 483.75, are now located in section 483.35 and includes the term "minimum" in the paragraph identifying the requirements for hiring a nurse aide.