

Dear { name of NH } Administrator:

As you know, effective January 1, 2003, Section 941 of the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000 (BIPA) requires skilled nursing facilities and nursing facilities to post daily for each shift the number of licensed and unlicensed nursing staff directly responsible for resident care in the facility. Many of you have requested guidance from the Centers for Medicare & Medicaid Services (CMS) on the format of that reporting. CMS is working to address this concern. CMS will publish a regulation later in this fiscal year defining this required format and content. In the meantime, attached is a format that CMS recommends you use in the interim. It is not a required format, and you may choose to use your own format.

The required facility nursing staff numbers must be prominently displayed in a public area. CMS suggests the size of the report be at least 8 ½ x 14 inches, and printed in a size font/print large enough to be easily read. This information must include the actual number of licensed and unlicensed nursing staff directly responsible for the care of residents for that particular day on each shift. This may mean that the nursing facility would post each shift staff numbers very close to the beginning of the shift in order to ensure that the posted numbers are the actual staff working the shift. Licensed and unlicensed nursing staff includes: registered nurses, licensed practical nurses, and nurse aides. The nursing home may choose to delineate the above categories of staff in addition to others, e.g., volunteers on the template.

The State Survey Agencies responsible for ensuring that nursing facilities are compliant with federal requirements are expected to verify that the nursing staffing information is posted. This will be done for all surveys performed on or after January 1, 2003. The CMS Survey & Certification Letter 03-03 dated October 10, 2002 is enclosed or viewable on the internet at <http://cms.hhs.gov/medicaid/lcsp/lcsmemos.asp>.

I hope this will allay any immediate concerns about what is required to be posted effective January 1, 2003.

Thomas A. Scully
Administrator

Enclosures

RECOMMENDED TEMPLATE

Name of Nursing Home

Report of
Nursing Staff Directly Responsible
For Resident Care

Date: xx/xx/xx

SHIFT	LICENSED NURSING STAFF	UNLICENSED NURSING STAFF
DAY	# FTEs	# FTEs
EVENING	# FTEs	# FTEs
NIGHT	# FTEs	# FTEs

Daily posting of this information is required for nursing homes participating in Medicare and Medicaid.