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## SENATE JOINT RESOLUTION NO. 266

Offered January 11, 2017

Prefiled January 5, 2017

*Directing the Joint Legislative Audit and Review Commission to study staffing ratio requirements for assisted living facilities and special care units. Report.*

Patron—Dance

Referred to Committee on Rules

WHEREAS, assisted living facilities provide personal and health care services, including protection, 24-hour supervision, and oversight of physical and mental well-being, in a primarily residential setting for many aged, infirm, or disabled adults in the Commonwealth; and

WHEREAS, many assisted living facilities have one or more self-contained special care units or, in some instances, consist wholly of a special care unit to provide care for individuals with serious cognitive impairments due to a primary psychiatric diagnosis of dementia who cannot recognize danger or protect their own safety and welfare; and

WHEREAS, regulations of the Department of Social Services require assisted living facilities to have adequate staff in sufficient numbers to provide services to attain and maintain the physical, mental, and psychosocial well-being of each resident, including at least one direct care staff member awake and on duty at all times in each building when at least one resident is present, unless the building houses 19 or fewer residents, in which case the staff member on duty does not have to be awake during the night if none of the residents require a staff member awake and on duty at night; and

WHEREAS, regulations of the Department of Social Services require special care units to have at least two direct care staff members awake and on duty at all times in each special care unit when residents are present who shall be responsible for the care and supervision of the residents, unless only one awake direct care staff member is sufficient to meet the needs of the residents and (i) there are no more than five residents present in the unit, (ii) there are at least two other direct care staff members in the building, one of whom is readily available to assist with emergencies, and (iii) the level of supervision necessary to ensure the health, safety, and welfare of residents throughout the building is not compromised; and

WHEREAS, adequate staffing levels in assisted living facilities and special care units are necessary to ensure proper care and quality of life for the Commonwealth's aged, infirm, or disabled adults, and although staffing levels are often dependent on the unique needs of such adults, higher staffing levels typically equate to a higher quality of care; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Joint Legislative Audit and Review Commission be directed to study staffing ratio requirements for assisted living facilities and special care units.

In conducting its study, the Joint Legislative Audit and Review Commission (JLARC) shall (i) identify and analyze current staff-to-resident ratio requirements for assisted living facilities and special care units and (ii) make recommendations for changes to such ratio requirements that would lead to better care and quality of life for residents of assisted living facilities and special care units, including recommendations regarding the total number and type of staff that (a) are required to meet the routine and special needs of all residents, (b) must be awake and on duty during night shifts, and (c) should accompany residents on trips away from the assisted living facility or special care unit.

All agencies of the Commonwealth shall provide assistance to the Joint Legislative Audit and Review Commission for this study, upon request.

The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2017, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2018 Regular Session of the General Assembly. The executive summary shall state whether JLARC intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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