

REFERENCE TITLE: **minimum staff ratios; nursing homes**

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2250**

Introduced by  
Representative Longdon

**AN ACT**

**AMENDING TITLE 36, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 36-447.03; RELATING TO NURSING CARE INSTITUTIONS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 4, article 7, Arizona Revised  
3 Statutes, is amended by adding section 36-447.03, to read:

4 36-447.03. Direct care staff-to-resident ratios; minimum;  
5 definition

6 A. NOTWITHSTANDING ANY OTHER STAFFING REQUIREMENTS ESTABLISHED BY  
7 LAW, EACH NURSING CARE INSTITUTION SHALL MAINTAIN ALL OF THE FOLLOWING  
8 MINIMUM DIRECT CARE STAFF-TO-RESIDENT RATIOS:

9 1. ONE CERTIFIED NURSE AIDE TO EVERY EIGHT RESIDENTS FOR THE DAY  
10 SHIFT.

11 2. ONE DIRECT CARE STAFF MEMBER TO EVERY TEN RESIDENTS FOR THE  
12 EVENING SHIFT. AT LEAST ONE-HALF OF ALL DIRECT CARE STAFF MEMBERS MUST BE  
13 CERTIFIED NURSE AIDES, SHALL SIGN IN TO WORK AS CERTIFIED NURSE AIDES AND  
14 SHALL PERFORM CERTIFIED NURSE AIDE DUTIES.

15 3. ONE DIRECT CARE STAFF MEMBER TO EVERY FOURTEEN RESIDENTS FOR THE  
16 NIGHT SHIFT. EACH DIRECT CARE STAFF MEMBER SHALL SIGN IN TO WORK AS A  
17 CERTIFIED NURSE AIDE AND PERFORM CERTIFIED NURSE AIDE DUTIES.

18 B. ON ANY EXPANSION OF THE RESIDENT CENSUS BY THE NURSING CARE  
19 INSTITUTION, THE NURSING CARE INSTITUTION IS EXEMPT FROM ANY INCREASE IN  
20 DIRECT CARE STAFFING RATIOS FOR A PERIOD OF NINE CONSECUTIVE SHIFTS AFTER  
21 THE DATE OF THE EXPANSION OF THE RESIDENT CENSUS.

22 C. THE COMPUTATION OF MINIMUM DIRECT CARE STAFFING RATIOS SHALL BE  
23 CARRIED TO THE HUNDREDTH PLACE. IF THE APPLICATION OF THE RATIOS LISTED  
24 IN SUBSECTION A OF THIS SECTION RESULTS IN OTHER THAN A WHOLE NUMBER OF  
25 DIRECT CARE STAFF, INCLUDING CERTIFIED NURSE AIDES, FOR A SHIFT, THE  
26 NUMBER OF REQUIRED DIRECT CARE STAFF MEMBERS SHALL BE ROUNDED TO THE NEXT  
27 HIGHER WHOLE NUMBER WHEN THE RESULTING RATIO CARRIED TO THE HUNDREDTH  
28 PLACE IS AT LEAST FIFTY-ONE HUNDREDTHS. ALL COMPUTATIONS SHALL BE BASED  
29 ON THE MIDNIGHT CENSUS FOR THE DAY IN WHICH THE SHIFT BEGINS.

30 D. THIS SECTION DOES NOT AFFECT ANY MINIMUM STAFFING REQUIREMENTS  
31 FOR NURSING CARE INSTITUTIONS THAT ARE REQUIRED BY THE DEPARTMENT FOR  
32 STAFF OTHER THAN DIRECT CARE STAFF MEMBERS, INCLUDING CERTIFIED NURSE  
33 AIDES, OR RESTRICT THE ABILITY OF NURSING CARE INSTITUTIONS TO INCREASE  
34 STAFFING LEVELS, AT ANY TIME, BEYOND THE ESTABLISHED MINIMUM.

35 E. THE MINIMUM DIRECT CARE STAFFING RATIOS REQUIRED BY THIS SECTION  
36 DO NOT APPLY TO ANY PEDIATRIC LONG-TERM CARE FACILITY LICENSED PURSUANT TO  
37 THIS CHAPTER.

38 F. FOR THE PURPOSES OF THIS SECTION, "DIRECT CARE STAFF MEMBER"  
39 MEANS ANY REGISTERED NURSE, LICENSED PRACTICAL NURSE OR CERTIFIED NURSE  
40 AIDE WHO IS ACTING IN ACCORDANCE WITH THAT INDIVIDUAL'S AUTHORIZED SCOPE  
41 OF PRACTICE AND PURSUANT TO DOCUMENTED EMPLOYEE TIME SCHEDULES.