

LONG TERM CARE COMMUNITY COALITION

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Assisted Living Fact Sheet: Registered Nurse Requirements

Staffing is one of the most important indicators of resident care and quality of life in both nursing homes and assisted living facilities (ALFs). Under the federal Nursing Home Reform Law, nursing homes are required to have a registered nurse (RN) on duty at least eight hours a day, seven days a week. There is no equivalent federal requirement for ALFs, despite the fact that they are increasingly caring for residents with similar characteristics and care needs.

While studies indicate that RN hours improve care outcomes for residents, many states still do not have an RN requirement for ALFs. To improve ALF care and safety, LTCCC conducted a nationwide analysis of best practices in assisted living and has published a report with recommendations for improving resident health, safety, and well-being.

Following are some key recommendations for implementing RN standards in assisted living from our report, [*Assisted Living: Promising Policies and Practices for Improving Resident Health, Quality of Life, and Safety*](#).

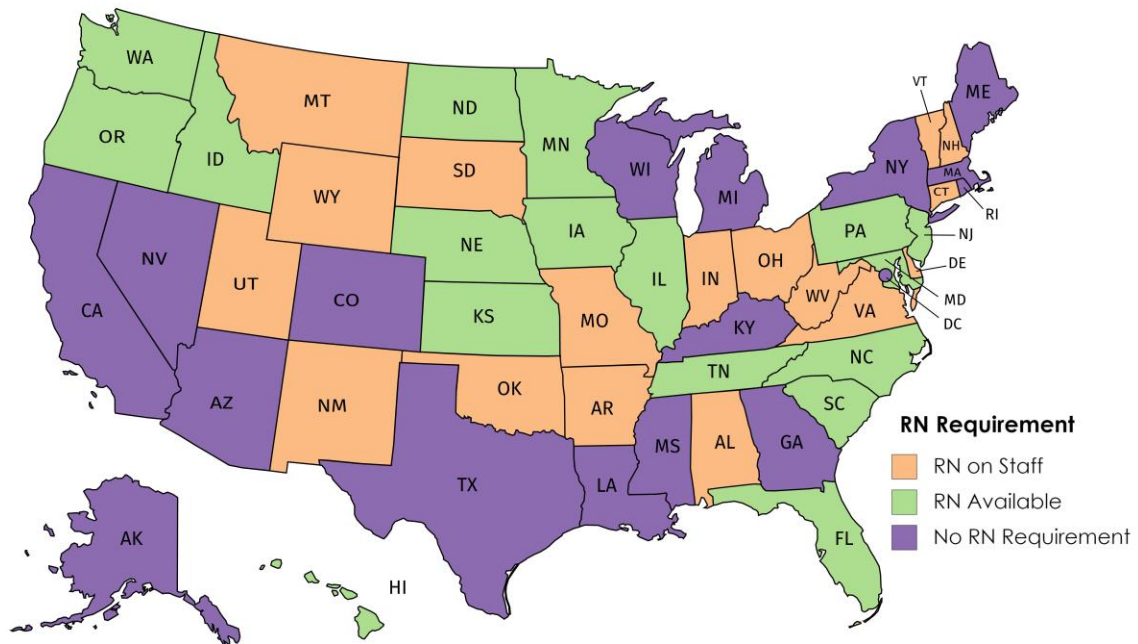
Recommendations

- ALFs with residents who have needs beyond assistance with “instrumental activities of daily living” should have an RN in the facility on a full-time bases (minimally) with remote availability 24/7.
- ALFs should clearly delineate when the RN should provide direct care to residents in lieu of the direct care worker (such as in the case of an emergency) and how the RN can fulfill responsibilities if not physically present at the facility.
- ALFs should clarify whether and when an RN needs to be on-site at the facility, as well as ensure that an RN is reachable and available at all times.
- ALFs should clearly disclose the presence and availability of RNs (and, as applicable, other licensed care staff) in a prominent location at the facility, in all marketing materials, resident contracts, and care plans.
- ALFs should determine work status for caregivers (e.g., full-time) depending on the number of beds at the facility.

NOTE: This is a partial list. To see all of our recommendations, please see the [report](#).

Map of State Requirements

- 34 states require ALFs to either have an RN on staff or to have an RN available for service.
- 16 states and the District of Columbia do not have an RN requirement for ALFs. 17 states require ALFs to have RNs available but do not require them to have RNs on staff, such as through a staffing agency. 17 states require ALFs to have an RN on staff.



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Further Reading

1. LTCCC's 2018 report, *Assisted Living: Promising Policies and Practices*, provides a more comprehensive review of state policies, recommendations, and example language for use in future policymaking. See <https://nursinghome411.org/ltccc-report-assisted-living-promising-policies-and-practices/>.
2. LTCCC's Assisted Living State Requirements Chart offers a comparative look at state requirements, including RN standards. See <https://nursinghome411.org/assisted-living-state-requirements-chart/>.
3. Specific RN requirements for each state can be found in the *Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition*. See <https://aspe.hhs.gov/basic-report/compendium-residential-care-and-assisted-living-regulations-and-policy-2015-edition#overview>.

Note: This document is the work of LTCCC. It does not necessarily reflect the views of the Department of Health, nor has the Department verified the accuracy of its content.

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