

113TH CONGRESS
2^D SESSION

H. R. 5373

To amend titles XVIII and XIX of the Social Security Act to establish a minimum direct care registered nurse staffing requirement at nursing facilities and skilled nursing facilities under Medicare and Medicaid and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2014

Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Ms. ROYBAL-ALLARD, Mr. PAYNE, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend titles XVIII and XIX of the Social Security Act to establish a minimum direct care registered nurse staffing requirement at nursing facilities and skilled nursing facilities under Medicare and Medicaid and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Put a Registered
5 Nurse in the Nursing Home Act of 2014”.

1 **SEC. 2. ESTABLISHMENT OF MINIMUM DIRECT CARE REG-**
2 **ISTERED NURSE STAFFING REQUIREMENT AT**
3 **NURSING FACILITIES AND SKILLED NURSING**
4 **FACILITIES UNDER MEDICARE AND MED-**
5 **ICAID.**

6 (a) **MEDICARE SKILLED NURSING FACILITIES.**—Sec-
7 tion 1819(b)(4)(C) of the Social Security Act (42 U.S.C.
8 1395i–3(b)(4)(C)) is amended—

9 (1) in clause (i)—

10 (A) by striking “Except as provided in
11 clause (ii), a” and inserting “A”; and

12 (B) by striking all that follows “residents”
13 and inserting a period; and

14 (2) by striking clause (ii) and inserting the fol-
15 lowing:

16 “(ii) **USE OF DIRECT CARE REG-**
17 **ISTERED NURSE.**—A skilled nursing facil-
18 ity must use the services of at least 1 reg-
19 istered professional nurse to provide as-
20 sessment, surveillance, and direct care to
21 residents 24 hours a day, 7 days a week.
22 In the preceding sentence, the term ‘sur-
23 veillance’ means the purposeful and ongo-
24 ing acquisition, interpretation, and syn-
25 thesis of residents’ data for clinical deci-
26 sion making.”.

1 (b) MEDICAID NURSING FACILITIES.—Subparagraph
2 (C) of section 1919(b)(4)(C) of the Social Security Act
3 (42 U.S.C. 1396r(b)(4)(C)) is amended—

4 (1) in the heading, by striking “; FACILITY
5 WAIVERS”;

6 (2) in clause (i)—

7 (A) by striking “With respect to” and all
8 that follows through “clause (ii), must provide”
9 and inserting “A nursing facility must provide”;
10 and

11 (B) by striking all that follows “residents”
12 and inserting a period; and

13 (3) by striking clauses (ii) and (iii) and insert-
14 ing the following:

15 “(ii) USE OF DIRECT CARE REG-
16 ISTERED NURSE.—A nursing facility must
17 use the services of at least 1 registered
18 professional nurse to provide assessment,
19 surveillance, and direct care to residents
20 24 hours a day, 7 days a week. In the pre-
21 ceding sentence, the term ‘surveillance’
22 means the purposeful and ongoing acquisi-
23 tion, interpretation, and synthesis of resi-
24 dents’ data for clinical decisionmaking.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to payments made for
3 items and services furnished on or after the first day of
4 the first calendar quarter beginning on the date that is
5 1 year after the date of the enactment of this Act.

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