

Staffing In ALRs, EALRs and SNALRs

In the evaluation of the adequacy of facility staffing, both initially for certification and on-going during survey, a resident profile will be requested. This profile will describe the actual or expected demographics, medical acuity and degree of dependence of the residents. An organizational chart, which describes lines of accountability and functional responsibilities of all staff, will also be requested. The key to "appropriate" staffing in all 3 ALR categories is how well resident needs are being met. The chart below indicates minimum staffing in key areas but requirements may vary depending on the resident profile and physical plant.

STAFFING REQUIREMENTS

Type	ALR	Special Needs ALR	Enhanced ALR
Administrator*	<p>ALR Administrator defined hours by certified capacity of ALR</p> <p>20 hours / week < 25</p> <p>40 hours / week > 25+</p> <ul style="list-style-type: none"> • If # of beds is less than 25, administrator may also provide personal care, food service, housekeeper, and other functions for 10 of the 20 hours. <p>*Same person may be administrator for 20 hours and case manager for an additional 20 hours for a total workload of 40 hours. However, administrative functions may be carried out by nursing staff.</p>	Same as ALR	Same as ALR
Additional Administrative Support Staff	Positions (# and hours) based on the operational needs of the facility and care needs of residents.	Same as ALR	Same as ALR
Case Manager**1	<p>1-24 beds - 20 hours/week</p> <p>25-44 beds -20 hour /week plus 1 hour/week for each bed over 24 and up to 40 hours week(44 beds)</p> <p>45+ beds – 40 hours/week and additional staff/hours, based on the needs of the residents</p> <p>** These hours may not be provided as part of the required administrator hours. However, case management functions may be carried out by nursing staff.</p>	Same as ALR	Same as ALR
Personal Care	<p>A minimum of 3.75 hours per week average should be used when planning staffing.</p> <p>Beyond minimum described for ALR, staffing dependent on needs described in ISP and medical assessments.</p>	Same as ALR	Same as ALR

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Activities Staff	No minimum staffing but must submit who will direct and plan (as referenced in qualifications). Must have available 10 hours of activities each week for residents.	Same as ALR but activities must be pertinent to special needs group.	Same as ALR																								
Supervision Staff	<table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 0 10px;">1 - 40</td> <td style="padding: 0 10px;">1</td> </tr> <tr> <td style="padding: 0 10px;">41 - 80</td> <td style="padding: 0 10px;">2</td> </tr> <tr> <td style="padding: 0 10px;">81 - 150</td> <td style="padding: 0 10px;">3</td> </tr> <tr> <td style="padding: 0 10px;">151 - 200</td> <td style="padding: 0 10px;">4</td> </tr> </table> <p>For every additional 60 residents (or fraction thereof) increase by one staff person.</p> <p>Staffing requirements are for all shifts.</p>	1 - 40	1	41 - 80	2	81 - 150	3	151 - 200	4	<table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 0 10px;">1 - 40</td> <td style="padding: 0 10px;">2</td> </tr> <tr> <td style="padding: 0 10px;">41 - 80</td> <td style="padding: 0 10px;">2</td> </tr> <tr> <td style="padding: 0 10px;">81 - 150</td> <td style="padding: 0 10px;">3</td> </tr> <tr> <td style="padding: 0 10px;">151 - 200</td> <td style="padding: 0 10px;">4</td> </tr> </table> <p>For every additional 60 residents (or fraction thereof) increase by one staff person.</p> <p>Staffing requirements are for all shifts.</p> <p>Staff may be shared throughout the facility.</p>	1 - 40	2	41 - 80	2	81 - 150	3	151 - 200	4	<table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 0 10px;">1 - 40</td> <td style="padding: 0 10px;">2</td> </tr> <tr> <td style="padding: 0 10px;">41 - 80</td> <td style="padding: 0 10px;">2</td> </tr> <tr> <td style="padding: 0 10px;">81 - 150</td> <td style="padding: 0 10px;">3</td> </tr> <tr> <td style="padding: 0 10px;">151 - 200</td> <td style="padding: 0 10px;">4</td> </tr> </table> <p>For every additional 60 residents (or fraction thereof) increase by one staff person.</p> <p>Staffing requirements are for all shifts.</p> <p>Staff may be shared throughout the facility.</p>	1 - 40	2	41 - 80	2	81 - 150	3	151 - 200	4
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Housekeeping Staff	No ratio of staff per residents but must have sufficient staff to comply with ACF standards in Regulation.	Same as ALR	Same as ALR																								
Maintenance Staff	Sufficient staff in number and skill.	Sufficient staff in number and skill.	Sufficient staff in number and skill.																								
Food Service Staff	No ratio Must have a Food Service Manager. Must have sufficient staff to plan, prepare, serve and clean up after meals. Operator must comply with 10 NYCRR Part 14 -Consulting dietician -Access to snacks through out day and evening -Food requirement must meet ACF regulations.	Same	Same																								

STAFFING REQUIREMENTS

Type	ALR	Special Needs ALR	Enhanced ALR
Nurses ²	N/A	<p>There must be a licensed nurse on site for 16 hours/day for 7 days a week, at a minimum.</p> <p>There must be, at a minimum, 1 RN onsite for 8 of the 16 hours, five days a week. The other 8 hours/ may be covered by an LPN or RN.</p> <p>Nursing staff may also provide case management services or administrative services and supervision of residents, if the nursing care needs and case management needs can be adequately met.</p> <p><i>This is a minimum and may be increased based on the individual service plan or as recommended through an assessment.</i></p> <p>On call RN 24 hours, 7 days a week, if RN is not onsite.</p>	<p>There must be a licensed nurse on site for 16 hours/day for 7 days a week, at a minimum.</p> <p>There must be, at a minimum, 1 RN onsite for 8 of the 16 hours/day, five days a week. The other 8 hours may be covered by an LPN or RN. Nursing staff may also provide case management services or administrative services and supervision of residents, if the nursing care needs and case management needs can be adequately met.</p> <p><i>This is a minimum and may be increased based on the individual service plan or as recommended through an assessment</i></p> <p>On call RN 24 hours, 7 days a week, if RN is not onsite</p>
Alternative Onsite Coverage	N/A	<p>Facilities, which are staffing to the 16 hour/day nursing coverage minimum, must have one or more home health aides on staff the other 8 hours/day to adequately meet the needs of the residents. Such aides must be trained in first aid, care of persons with dementia and other special needs, medication management and oriented to facility procedures regarding responding to emergencies.</p>	<p>Facilities, which are staffing to the 16 hour/day nursing coverage minimum, must have one or more home health aides on staff the other 8 hours/day to adequately meet the needs of the residents. Such aides must be trained in first aid, care of persons with dementia and other special needs, medication management and oriented to facility procedures regarding responding to emergencies.</p>

¹The Case Manager implements the residence's policies and procedures for a case management system at the residence including but not limited to: an initial and ongoing assessment of a resident's strengths and needs; oversight and coordination of the Individualized Service Plan (ISP); provision or arrangement for the provision of identified services; monitoring of the receipt of such services and evaluation of the effectiveness in improving resident functioning and quality of life; and documenting the activities and their outcomes. The following is a list of case management services, which should be added to the current duties described in ACF regulation [487.7(g)]:

- Identify and evaluate the resident's needs, interests, and strengths and the capability of the facility to meet those needs, prior to admission and then at least once every 12 months, using the evaluation tool prescribed by the Department;
- Oversee and coordinate a written Individualized Service Plan (ISP) for each resident upon admission to the ALR, which is reviewed no less frequently than every six months and revised as necessary;
- Meet with prospective residents and their representatives and legal representatives to discuss matters described in the residency agreement and required disclosures under Article 46-B of the Public Health Law and implementing regulations, including the services that the residence can provide to meet the needs of the prospective resident or residents;
- Provide information and referral on an ongoing basis;
- Coordinate with available resources on an ongoing bases to best address the resident's identified needs and interests;
- Strengthen the informal relationships among residents;
- Develop a formal mechanism of communication between the case manager and facility staff who serve the resident to identify abrupt or progressive changes in behavior or appearance, which may signify the need for assessment and service;
- Maintain a complete and accurate personal record for each resident.

²An applicant for, or operator of, an Enhanced Assisted Living Residence or Special Needs Assisted Living Residence with 40 or fewer EALR or SNALR operational beds may submit to the Department a written request for a waiver of the minimum requirements for nursing coverage.

Such waiver request must contain the following:

- Documentation acceptable to the Department that either:
 - ❖ The applicant or operator is unable to meet such minimum requirements; or
 - ❖ The current needs of the residents can be appropriately and safely met with coverage that is less than or otherwise different from the minimum requirements; and
- A description acceptable to the Department of what will be done by the operator to protect the health, safety and well-being of the residents, and specifically how the nursing needs of the residents will be address, in accordance with the medical evaluations and ISPs of the residents; and
- Documentation acceptable to the department that the operator will include in its disclosure statements provided to prospective residents, residents and their representatives the details of any such waiver of the minimum nursing coverage requirements, if approved by the Department; and
- Acknowledgement that the operator will have a registered professional nurse on call and available for consultation 24 hours a day, seven days a week, if not available onsite; and additional nursing coverage, as determined necessary and documented by the resident's medical evaluation or otherwise by the resident's attending physician and/or the ISP.

The Department will review each such waiver request on a case by case basis, and may approve a waiver request to the extent and for the duration it deems appropriate.