

4659.0180 STAFFING.

Subpart 1. **Definition.** For purposes of this part, "direct-care staff" means staff who provide services for residents that include assistance with activities of daily living, medication administration, resident-focused activities, supervision, and support.

Subp. 2. **Clinical nurse supervisor.** The facility's clinical nurse supervisor may also fulfill any of the responsibilities that a registered nurse is required to perform at the facility under Minnesota Statutes, chapter 144G

Subp. 3. **Direct-care staffing; plan required.** A clinical nurse supervisor must develop and implement a written staffing plan that provides an adequate number of qualified direct-care staff to meet the residents' needs 24 hours a day, seven days a week. When developing a direct-care staffing plan, the clinical nurse supervisor must ensure that staffing levels are adequate to address the following:

A. each resident's needs, as identified in the resident's service plan and assisted living contract;

B. each resident's acuity level, as determined by the most recent assessment or individualized review;

C. the ability of staff to timely meet the residents' scheduled and reasonably foreseeable unscheduled needs given the physical layout of the facility premises;

D. whether the facility has a secured dementia care unit; and

E. staff experience, training, and competency.

Subp. 4. **Daily staffing schedule.**

A. The clinical nurse supervisor must develop a 24-hour daily staffing schedule. The schedule must:

(1) include direct-care staff work schedules for each direct-care staff member showing all work shifts, including days and hours worked; and

(2) identify the direct-care staff member's resident assignments or work location.

B. The daily work schedule in item A must be posted, after redacting direct-care staff members' resident assignments, at the beginning of each work shift in a central location in each building of a facility or campus, accessible to staff, residents, volunteers, and the public. The facility shall not disclose any information that is protected by law from public disclosure.

Subp. 5. **Direct-care staff availability.** A minimum of two direct-care staff must be scheduled and available to assist at all times whenever a resident requires the assistance of two direct-care staff for scheduled reasonably foreseeable and unscheduled needs, as reflected in the resident's assessments and service plan.

Subp. 6. **Direct-care staff availability; night supervision.** During the hours of 10:00 p.m. to 6:00 a.m., direct-care staff shall respond to a resident's request for assistance with health or safety needs within a reasonable amount of time as provided in Minnesota Statutes, section 144G.41, subdivision 1, clause (12), item (ii).

Statutory Authority: *MS s 144G.09*

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