

144G STAFFING REQUIREMENTS		
STATUTORY CITE	STATUTORY LANGUAGE	COMMENTS
Key definitions		
Licensed health professional: 144G.08, subd. 29	"Licensed health professional" means a person licensed in Minnesota to practice a profession described in section 214.01, subdivision 2 .	
Unlicensed personnel: 144G.08, subd. 73	"Unlicensed personnel" means individuals not otherwise licensed or certified by a governmental health board or agency who provide services to a resident.	
General requirements		
144G.41, subd. 1(11)(i)	Facility must evaluate its staffing plan at least twice a year and whether staffing levels are appropriate	<i>Elder Justice</i> : staffing plan must contain accurate count of residents; staffing levels 24/7 that include licensed versus unlicensed personnel; staff performing delegated duties and supervisor; availability of licensed nurses; availability of AL director; on-call staff; social-service-staff availability Post staffing plan daily and offer to residents on move-in or upon request

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		<p>Must assess staffing plan quarterly and keep it current as needed; RN or APRN must certify plan is accurate and current</p> <p>Keep staffing plans for at least 7 years</p> <p>Allow for commissioner to review staffing plan and have ability to levy fine</p>
144G.41, subd. 1(11)(ii)	Facility must have sufficient staffing 24/7 to meet scheduled and reasonably foreseeable unscheduled needs of each resident as required by the residents' assessments and service plans	<p><i>Elder Justice</i>: include maintaining safety, order and cleanliness; assist with medication; meal service; housekeeping; recreational therapy; and emergency medical treatment such as CPR</p> <p>Limit percentage of temporary staff; take into account size of physical plant and number of buildings</p> <p><i>Elder Voice</i>: limit temporary staff to 25% at any time; one or more staff available 24/7 who have completed training under 144G.63, .64</p> <p>Minimum staffing ratios, differing on two shifts, 7:00 a.m.-7:00 p.m. and 7:00 p.m.-7:00 a.m.</p>

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144G.41, subd. 1(11)(iii)	Facility must having appropriate staffing to respond to resident emergencies, life safety, and disasters	
144G.41, subd. 1(12)	Facility must ensure that one or more awake persons are available 24/7 who are responsible for responding to the requests of residents for assistance with health or safety needs	<i>Elder Justice</i> : copy the statutory language into rule: respond in reasonable amount of time; can communicate with residents and provide or summon assistance; capable of following directions
144G.41, subd. 2(3)	Facility must have policy and procedure on orientation, training, and competency evaluations of staff, and a process for evaluating staff performance	
144G.41, subd. 2(14)	All facilities must have policy and procedure for supervising registered nurses and licensed health professionals	
144G.42, subd. 2	Facility must engage in quality management, including evaluating the quality of care by periodically reviewing resident services, complaints made, and other issues that have occurred and determining whether changes in services, staffing, or other procedures need to be made in order to ensure safe and competent services to residents.	

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144G.70, subd. 1	A facility may not accept a person as a resident unless the facility has staff, sufficient in qualifications, competency, and numbers, to adequately provide the services agreed to in the assisted living contract	
144G.81, subd. 4	Facility with dementia care providing services in a secured dementia care unit must have an awake person 24/7 who is physically present in the secured dementia care unit who is responsible for responding to the requests of residents for assistance with health and safety needs, and who meets the requirements of Minn. Stat. § 144G.41, subd. 1(12).	
144G.83, subd. 1(c)	Staffing levels in a facility with dementia care must be sufficient to meet the scheduled and unscheduled needs of residents, and staffing levels during nighttime hours must be based on the sleep patterns and needs of residents	<i>Elder Justice:</i> have minimum ratios for dementia-care facilities, differing on two shifts, 7:00 a.m.-7:00 p.m. and 7:00 p.m.-7:00 a.m. Have specific staffing plan for secured dementia-care unit
144G.91, subd. 4(b)	Residents have the right to receive health care and other assisted living services with continuity from people who are properly trained and competent to perform their duties and in sufficient numbers to adequately provide the services agreed to in the assisted living contract and the service plan	

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144G.91, subd. 23	Before receiving services identified in the service plan, residents have the right to be told the type and disciplines of staff who will be providing the services, the frequency of visits proposed to be furnished, and other choices that are available for addressing the resident's needs	Types of staff: licensed health professional, unlicensed personnel, support staff
Delegated health-care activities; resident assessments		
144G.41, subd. 1(4)	All facilities must have and maintain a system for delegating health-care activities to unlicensed personnel by a registered nurse	
144G.41, subd. 2(6)	All facilities must have policy and procedure for conducting initial and ongoing resident evaluations and assessments of resident needs, including assessments by a registered nurse or appropriate licensed health professional	
144G.41, subd. 2(13)	All facilities must have policy and procedure for delegating tasks by registered nurses or licensed health professionals	
144G.41, subd. 4	All facilities must have a clinical nurse supervisor who is a registered nurse licensed in Minnesota	<i>Elder Justice</i> : have RN or APRN on site or available 24/7

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144G.61, subd. 1	Training and competency evaluations of unlicensed personnel providing assisted living services must be conducted by a registered nurse, or another instructor may provide training in conjunction with the registered nurse	
144G.62	Delegating and supervising unlicensed personnel	
144G.70, subd. 2(b)	Facility must conduct a nursing assessment by a registered nurse of the physical and cognitive needs of the prospective resident and propose a temporary service plan	
144G.71	Medication management	
144G.72	Treatment and therapy management	