MEMORANDUM

TO: Administrators of Licensed Nursing Homes

FROM: Healthcare Quality

SUBJECT: Continued Modification of Nursing Home Staffing Standards for the Current Fiscal Year

The Appropriations Act for South Carolina Fiscal Year 2026-2027 has a section regarding nursing home staffing standards that states, in part, "31.17. (DPH: Health Facilities Licensing Monetary Penalties) … Regulations for nursing home staffing for the current fiscal year must (1) provide a minimum of one and sixty-three hundredths (1.63) hours of direct care per resident per day from the non-licensed nursing staff; and (2) maintain at least one licensed nurse per shift for each staff work area. All other staffing standards and non-staffing standards established in Standards for Licensing Nursing Homes: R.61-17, Code of State Regulations, must be enforced."

Minimum staffing levels for non-licensed nursing staff are based on a twenty-four (24) hour day and not a shift-by-shift basis. Management may schedule non-licensed staff to meet the needs of the residents across shifts as they deem necessary. For example, an 88-bed facility with 100% census may determine the following formula is most appropriate for the facility's situation:

• The first shift would be staffed with at least 8 Full-Time Equivalents (FTEs); second shift would be staffed with at least 6 FTEs; and third shift would be staffed with at least 4 FTEs for a daily total of 18 FTEs. 18 FTEs X 8 hours per shift = 144 staff hours per day. 144 staff hours per day ÷ 88 residents = 1.6364 staff hours per resident per day.

Facilities may use other formulas to suit their specific needs. At no time, however, may staffing fall below levels that would provide residents with 1.63 hours of direct care per day. Nursing homes will be required to staff work areas with one (1) licensed nurse per work area no matter how many residents are housed in any work area. These modified staffing standards are in effect for the current fiscal year, which runs from July 1 to June 30. If there are any questions, you may contact Healthcare Quality at nhteam@dph.sc.gov.