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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend titles XI, XVIII, and XIX of the Social Security Act with respect to minimum staffing levels in skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs.

IN THE HOUSE OF REPRESENTATIVES

Mr. DOGGETT introduced the following bill; which was referred to the Committee on _____

A BILL

To amend titles XI, XVIII, and XIX of the Social Security Act with respect to minimum staffing levels in skilled nursing facilities and nursing facilities under the Medicare and Medicaid programs.

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 “Safe Staffing Saves
5 Lives Act”.

1 **SEC. 2. MINIMUM STAFFING LEVELS IN NURSING FACILI-**
2 **TIES AND SKILLED NURSING FACILITIES.**

3 (a) ESTABLISHING MINIMUM STAFFING LEVELS FOR
4 REGISTERED NURSES IN NURSING FACILITIES AND
5 SKILLED NURSING FACILITIES.—

6 (1) MEDICARE.—

7 (A) IN GENERAL.—Section 1819(b)(4) of
8 the Social Security Act (42 U.S.C. 1395i–
9 3(b)(4)) is amended—

10 (i) in subparagraph (C)—

11 (I) in the subparagraph heading,
12 by inserting “BEFORE 2029” after
13 “REQUIRED NURSING CARE”; and

14 (II) in clause (i), by striking
15 “Except as provided in clause (ii)”
16 and inserting “With respect to skilled
17 nursing facility services furnished be-
18 fore January 1, 2029, except as pro-
19 vided in clause (ii)”; and

20 (ii) by adding at the end the following
21 new subparagraph:

22 “(D) REQUIRED NURSING CARE BEGIN-
23 NING IN 2029.—

24 “(i) IN GENERAL.—Subject to clause
25 (iii), beginning January 1, 2029, a skilled
26 nursing facility—

1 “(I) must provide 24-hour li-
2 censed nursing services which are suf-
3 ficient to meet the nursing needs of
4 its residents;

5 “(II) must provide for minimum
6 nurse staffing levels with respect to
7 each day;

8 “(III) must ensure that, in car-
9 rying out subclauses (I) and (II), a
10 total minimum of 4.1 hours of nursing
11 care is provided per resident per day,
12 with—

13 “(aa) 1.3 hours of care of
14 such total minimum consisting of
15 licensed nursing services, with
16 0.75 hours of such care provided
17 by a registered professional nurse
18 and 0.55 hours of such care pro-
19 vided by a licensed practical
20 nurse; and

21 “(bb) 2.8 hours of care of
22 such total minimum provided by
23 a nurse aide (as defined in para-
24 graph (5)(F)); and

1 “(IV) must ensure that a reg-
2 istered professional nurse is onsite
3 and available to furnish licensed nurs-
4 ing services 24 hours a day, 7 days a
5 week.

6 “(ii) SECRETARIAL AUTHORITY TO ES-
7 TABLISH HIGHER MINIMUM NURSE STAFF-
8 ING LEVELS.—The Secretary may establish
9 and require skilled nursing facilities to pro-
10 vide for minimum nurse staffing levels that
11 are higher than the levels required under
12 this subparagraph.

13 “(iii) WAIVER.—

14 “(I) IN GENERAL.—Subject to
15 the succeeding provisions of this
16 clause, the Secretary may waive the
17 requirements under clause (i) (and
18 such additional requirements as may
19 be established under clause (ii)) with
20 respect to a skilled nursing facility for
21 a period of not more than 180 days
22 if—

23 “(aa) the facility dem-
24 onstrates to the satisfaction of
25 the Secretary that the facility

1 cannot reasonably comply with
2 such requirements;

3 “(bb) the facility provides to
4 the Secretary such information
5 as the Secretary determines nec-
6 essary to support a determination
7 under item (aa), which shall in-
8 clude information with respect
9 to—

10 “(AA) workforce and
11 wage data for the area in
12 which the facility is located;

13 “(BB) additional em-
14 ployee benefits offered by
15 the facility;

16 “(CC) the annual rate
17 of turnover with respect to
18 nursing staff at the facility,
19 disaggregated by category of
20 staff; and

21 “(DD) the facility’s
22 demonstrated commitment
23 to hiring nursing staff; and

24 “(cc) the Secretary provides
25 notice of the waiver to the State

1 long-term care ombudsman (es-
2 tablished under section
3 307(a)(12) of the Older Ameri-
4 cans Act of 1965) and the pro-
5 tection and advocacy system in
6 the State for the mentally ill and
7 the mentally retarded.

8 “(II) INELIGIBILITY.—The Sec-
9 retary may not grant a waiver under
10 this clause to a skilled nursing facility
11 that—

12 “(aa) has been identified
13 under the special focus facility
14 program under subsection (f)(8)
15 as having substantially failed to
16 meet an applicable requirement
17 of this Act; or

18 “(bb) during the 1-year pe-
19 riod preceding a request for such
20 a waiver, was found to have defi-
21 ciencies that—

22 “(AA) resulted in harm
23 to a resident; or

1 “(BB) immediately
2 jeopardized the health or
3 safety of its residents.

4 “(III) LIMITATIONS.—A skilled
5 nursing facility may not receive more
6 than 2 consecutive waivers under this
7 clause.

8 “(iv) RULE OF CONSTRUCTION RE-
9 GARDING STATE AUTHORITY TO ESTAB-
10 LISH HIGHER MINIMUM NURSE STAFFING
11 LEVELS.—Nothing in this subparagraph
12 may be construed as preventing a State
13 from establishing or requiring skilled nurs-
14 ing facilities in the State to provide for
15 minimum nurse staffing levels that are
16 higher than the levels required under this
17 subparagraph.”.

18 (B) ENFORCEMENT.—

19 (i) INCREASED SURVEY FRE-
20 QUENCY.—Section 1819(g)(2)(A)(iii) of
21 the Social Security Act (42 U.S.C. 1395i-
22 3(g)(2)(A)(iii)) is amended—

23 (I) in subclause (I), by striking
24 “Each” and inserting “Subject to
25 subclause (III), each”; and

1 (II) by adding at the end the fol-
2 lowing new subclause:

3 “(III) STAFFING LEVEL SUR-
4 VEYS.—Beginning January 1, 2029,
5 in the case of a skilled nursing facility
6 that is found not to meet the min-
7 imum staffing requirements of sub-
8 section (b)(4)(D) (including such a fa-
9 cility that has in effect a waiver of
10 such requirements under clause (iii) of
11 such subsection), such facility shall be
12 subject to a standard survey not later
13 than 3 months after the date of the
14 previous standard survey conducted
15 under this subparagraph.”.

16 (ii) PROHIBITION ON ADMISSION OF
17 NEW RESIDENTS; AUDITS.—Section
18 1819(h) of the Social Security Act (42
19 U.S.C. 1395i–3(h)) is amended—

20 (I) in paragraph (1), by striking
21 “If a State finds, on the basis of a
22 standard” and inserting “Subject to
23 paragraph (7), if a State finds, on the
24 basis of a standard”;

1 (II) in paragraph (2), by striking
2 “With respect to” and inserting “Sub-
3 ject to paragraph (7), with respect
4 to”; and

5 (III) by adding at the end the
6 following new paragraph:

7 “(7) SPECIAL RULE WITH RESPECT TO MIN-
8 IMUM NURSE STAFFING REQUIREMENTS.—

9 “(A) IN GENERAL.—Beginning January 1,
10 2029, if a State finds, on the basis of a stand-
11 ard, extended, or partial extended survey under
12 subsection (g)(2) or otherwise, that a skilled
13 nursing facility does not meet the minimum
14 staffing requirements of subsection (b)(4)(D)
15 (without regard to whether such facility has in
16 effect a waiver of such requirements under
17 clause (iii) of such subsection), the State shall
18 recommend to the Secretary that the Secretary
19 take such actions as described in subparagraph
20 (B).

21 “(B) SECRETARIAL AUTHORITY.—Begin-
22 ning January 1, 2029, with respect to any
23 skilled nursing facility in a State, if the Sec-
24 retary finds, or pursuant to a recommendation
25 of the State under subparagraph (A) finds, that

1 a skilled nursing facility does not meet the min-
2 imum staffing requirements of subsection
3 (b)(4)(D) (without regard to whether such facil-
4 ity has in effect a waiver of such requirements
5 under clause (iii) of such subsection), the Sec-
6 retary shall deny any further payments under
7 this title with respect to any individuals entitled
8 to benefits under this title admitted to the facil-
9 ity for the period beginning on the effective
10 date of the finding and ending on the later of—

11 “(i) the date that is 180 days after
12 such effective date; or

13 “(ii) the date on which the Secretary
14 determines that the facility has come into
15 compliance with such minimum staffing re-
16 quirements.

17 “(C) RELATIONSHIP TO OTHER ENFORCE-
18 MENT MECHANISMS.—The remedies provided
19 under this paragraph are in addition to those
20 otherwise available under this subsection and
21 shall not be construed as limiting such other
22 remedies.”.

23 (iii) INELIGIBILITY FOR SNF VBP PRO-
24 GRAM.—Section 1888(h)(1)(C) of the So-

1 cial Security Act (42 U.S.C.
2 1395yy(h)(1)(C)) is amended—

3 (I) by redesignating clauses (i)
4 and (ii) as subclauses (I) and (II), re-
5 spectively, and adjusting the margins
6 accordingly;

7 (II) by striking “With respect”
8 and inserting the following:

9 “(i) IN GENERAL.—With respect”;
10 and

11 (III) by adding at the end the
12 following new clause:

13 “(ii) EXCLUSION OF FACILITIES OUT
14 OF COMPLIANCE WITH MINIMUM STAFFING
15 STANDARDS.—With respect to payments
16 for services furnished on or after January
17 1, 2029, this subsection shall not apply to
18 a facility that does not meet the minimum
19 staffing requirements of subsection
20 (b)(4)(D) (including such a facility that
21 has in effect a waiver of such requirements
22 under clause (iii) of such subsection).”.

23 (C) APPLICATION TO TRANSFER AND DIS-
24 CHARGE RIGHTS.—Section 1819(c)(2)(A) of the
25 Social Security Act (42 U.S.C. 1395i-

1 3(c)(2)(A)) is amended by adding at the end of
2 the flush-left text the following new sentence:
3 “Beginning January 1, 2029, a skilled nursing
4 facility may not transfer or discharge a resident
5 solely for purposes of meeting the minimum
6 staffing requirements under subsection
7 (b)(4)(D).”.

8 (D) NOTICE OF NONCOMPLIANCE TO RESI-
9 DENTS AND GUARDIANS.—

10 (i) IN GENERAL.—Section 1819(c) of
11 the Social Security Act (42 U.S.C. 1395i-
12 3(c)) is amended by adding at the end the
13 following new paragraph:

14 “(7) NOTICE IN THE CASE OF NONCOMPLIANCE
15 WITH MINIMUM STAFFING STANDARDS.—Beginning
16 January 1, 2029, in the case of a skilled nursing fa-
17 cility that does not meet the minimum staffing re-
18 quirements of subsection (b)(4)(D) (including such a
19 facility that has in effect a waiver of such require-
20 ments under clause (iii) of such subsection), such fa-
21 cility shall—

22 “(A) prominently display at the entrance
23 to the facility a notice that such facility does
24 not meet such standards (and has in effect such
25 a waiver, if applicable); and

1 “(B) provide each resident of the facility
2 (or, where appropriate, the guardians or legal
3 representatives of such residents) and members
4 of their immediate families with a written copy
5 of such notice.”.

6 (ii) NURSING HOME COMPARE
7 WEBSITE.—Section 1819(i)(1)(A)(i) of the
8 Social Security Act (42 U.S.C. 1395i–
9 3(i)(1)(A)(i)) is amended by inserting
10 “(and, beginning January 1, 2029, infor-
11 mation on whether the facility meets the
12 minimum staffing requirements of sub-
13 section (b)(4)(D) (or has in effect a waiver
14 of such requirements under clause (iii) of
15 such subsection)” after “staffing turnover
16 and tenure”.

17 (E) CONFORMING AMENDMENT.—Section
18 1819(f)(2)(B)(iii)(I)(a) of the Social Security
19 Act (42 U.S.C. 1395i–3(f)(2)(B)(iii)(I)(a)) is
20 amended by inserting “or subsection
21 (b)(4)(D)(iii)” after “subsection
22 (b)(4)(C)(ii)(II)”.

23 (2) MEDICAID.—

1 (A) IN GENERAL.—Section 1919(b)(4) of
2 the Social Security Act (42 U.S.C. 1396r(b)(4))
3 is amended—

4 (i) in subparagraph (C)(i)—

5 (I) in the clause heading, by in-
6 serting “BEFORE 2029” after “GEN-
7 ERAL REQUIREMENTS”; and

8 (II) in the matter preceding sub-
9 clause (I), by inserting “and before
10 January 1, 2029,” after “With re-
11 spect to nursing facility services pro-
12 vided on or after October 1, 1990,”;
13 and

14 (ii) by adding at the end the following
15 new subparagraph:

16 “(D) GENERAL REQUIREMENTS BEGIN-
17 NING IN 2029.—

18 “(i) IN GENERAL.—Subject to clause
19 (iii), beginning January 1, 2029, a nursing
20 facility—

21 “(I) must provide 24-hour li-
22 censed nursing services which are suf-
23 ficient to meet the nursing needs of
24 its residents;

1 “(II) must provide for minimum
2 nurse staffing levels with respect to
3 each day;

4 “(III) must ensure that, in car-
5 rying out subclauses (I) and (II), a
6 total minimum of 4.1 hours of nursing
7 care is provided per resident per day,
8 with—

9 “(aa) 1.3 hours of care of
10 such total minimum consisting of
11 licensed nursing services, with
12 0.75 hours of such care provided
13 by a registered professional nurse
14 and 0.55 hours of such care pro-
15 vided by a licensed practical
16 nurse; and

17 “(bb) 2.8 hours of care of
18 such total minimum provided by
19 a nurse aide (as defined in para-
20 graph (5)(F)); and

21 “(IV) must ensure that a reg-
22 istered professional nurse is onsite
23 and available to furnish licensed nurs-
24 ing services 24 hours a day, 7 days a
25 week.

1 “(ii) SECRETARIAL AUTHORITY TO ES-
2 TABLISH HIGHER MINIMUM NURSE STAFF-
3 ING LEVELS.—The Secretary may establish
4 and require nursing facilities to provide for
5 minimum nurse staffing levels that are
6 higher than the levels required under this
7 subparagraph.

8 “(iii) WAIVER.—

9 “(I) IN GENERAL.—Subject to
10 the succeeding provisions of this
11 clause, a State may waive the require-
12 ments under clause (i) (and such ad-
13 ditional requirements as may be es-
14 tablished under clause (ii)) with re-
15 spect to a nursing facility for a period
16 of not more than 180 days if—

17 “(aa) the facility dem-
18 onstrates to the satisfaction of
19 the State that the facility cannot
20 reasonably comply with such re-
21 quirements;

22 “(bb) the facility provides to
23 the State such information as the
24 State determines necessary to
25 support a determination under

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item (aa), which shall include information with respect to—

“(AA) workforce and wage data for the area in which the facility is located;

“(BB) additional employee benefits offered by the facility;

“(CC) the annual rate of turnover with respect to nursing staff at the facility, disaggregated by category of staff; and

“(DD) the facility’s demonstrated commitment to hiring nursing staff; and

“(cc) the State agency granting a waiver of such requirements provides notice of the waiver to the State long-term care ombudsman (established under section 307(a)(12) of the Older Americans Act of 1965) and the protection and advocacy system in the State for the men-

1 tally ill and the mentally re-
2 tarded.

3 A waiver under this clause shall be
4 subject to the review of the Secretary
5 and subject to clause (iv) shall be ac-
6 cepted by the Secretary for purposes
7 of this title to the same extent as is
8 the State's certification of the facility.
9 In granting or renewing a waiver, a
10 State may require the facility to use
11 other qualified, licensed personnel.

12 “(II) INELIGIBILITY.—The State
13 may not grant a waiver under this
14 clause to a skilled nursing facility
15 that—

16 “(aa) has been identified
17 under the special focus facility
18 program under subsection (f)(10)
19 as having substantially failed to
20 meet applicable requirements of
21 this Act; or

22 “(bb) during the 1-year pe-
23 riod preceding a request for such
24 a waiver, was found to have defi-
25 ciencies that—

1 “(AA) resulted in harm
2 to a resident; or

3 “(BB) immediately
4 jeopardized the health or
5 safety of its residents.

6 “(III) LIMITATIONS.—A nursing
7 facility may not receive more than 2
8 consecutive waivers under this clause.

9 “(iv) ASSUMPTION OF WAIVER AU-
10 THORITY BY SECRETARY.—If the Secretary
11 determines that a State has shown a clear
12 pattern and practice of allowing waivers in
13 the absence of diligent efforts by facilities
14 to meet the staffing requirements, the Sec-
15 retary shall assume and exercise the au-
16 thority of the State to grant waivers.

17 “(v) RULE OF CONSTRUCTION RE-
18 GARDING STATE AUTHORITY TO ESTAB-
19 LISH HIGHER MINIMUM NURSE STAFFING
20 LEVELS.—Nothing in this subparagraph
21 may be construed as preventing a State
22 from establishing or requiring skilled nurs-
23 ing facilities in the State to provide for
24 minimum nurse staffing levels that are

1 higher than the levels required under this
2 subparagraph.”.

3 (B) ENFORCEMENT.—

4 (i) INCREASED SURVEY FRE-
5 QUENCY.—Section 1919(g)(2)(A)(iii) of
6 the Social Security Act (42 U.S.C.
7 1396r(g)(2)(A)(iii)) is amended—

8 (I) in subclause (I), by striking
9 “Each” and inserting “Subject to
10 subclause (III), each”; and

11 (II) by adding at the end the fol-
12 lowing new subclause:

13 “(III) STAFFING LEVEL SUR-
14 VEYS.—Beginning January 1, 2029,
15 in the case of a nursing facility that
16 is found not to meet the minimum
17 staffing requirements of subsection
18 (b)(4)(D) (including such a facility
19 that has in effect a waiver of such re-
20 quirements under clause (iii) of such
21 subsection), such facility shall be sub-
22 ject to a standard survey not later
23 than 3 months after the date of the
24 previous standard survey conducted
25 under this subparagraph.”.

1 (ii) PROHIBITION ON ADMISSION OF
2 NEW RESIDENT; AUDITS.—Section 1919(h)
3 of the Social Security Act (42 U.S.C.
4 1396r(h)) is amended—

5 (I) in paragraph (1), by striking
6 “If a State finds, on the basis of a
7 standard” and inserting “Subject to
8 paragraph (10), if a State finds, on
9 the basis of a standard”;

10 (II) in paragraph (2)—

11 (aa) in subparagraph (C), by
12 striking “If a nursing facility”
13 and inserting “Subject to para-
14 graph (10), if a nursing facility”;
15 and

16 (bb) in subparagraph (D),
17 by striking “In the case of” and
18 inserting “Subject to paragraph
19 (10), in the case of”;

20 (III) in paragraph (3)—

21 (aa) in subparagraph (A),
22 by inserting before the period the
23 following: “and the remedies de-
24 scribed in paragraph (10)(B)”;
25 and

1 (bb) in subparagraph (B),
2 by striking “With respect to”
3 and inserting “Subject to para-
4 graph (10), with respect to”; and
5 (IV) by adding at the end the fol-
6 lowing new paragraph:

7 “(10) SPECIAL RULE WITH RESPECT TO MIN-
8 IMUM NURSE STAFFING REQUIREMENTS.—

9 “(A) IN GENERAL.—Beginning January 1,
10 2029, if a State finds, on the basis of a stand-
11 ard, extended, or partial extended survey under
12 subsection (g)(2) or otherwise, that a nursing
13 facility does not meet the minimum staffing re-
14 quirements of subsection (b)(4)(D) (without re-
15 gard to whether such facility has in effect a
16 waiver of such requirements under clause (iii)
17 of such subsection), the State shall—

18 “(i) deny any further payments under
19 the State plan with respect to all individ-
20 uals enrolled under such plan who are ad-
21 mitted to the facility after the effective
22 date of the finding; and

23 “(ii) recommend to the Secretary that
24 the Secretary take such actions as de-
25 scribed in subparagraph (B).

1 “(B) SECRETARIAL AUTHORITY.—Begin-
2 ning January 1, 2029, with respect to any
3 nursing facility in a State other than a State
4 nursing facility, if the Secretary finds, or pur-
5 suant to a recommendation of the State under
6 subparagraph (A) finds, that a skilled nursing
7 facility does not meet the minimum staffing re-
8 quirements of subsection (b)(4)(D) (without re-
9 gard to whether such facility has in effect a
10 waiver of such requirements under clause (iii)
11 of such subsection), the Secretary shall deny
12 any further payments to the State for medical
13 assistance furnished by the facility to any indi-
14 vidual admitted to the facility for the period be-
15 ginning on the effective date of the finding and
16 ending on the later of—

17 “(i) the date that is 180 days after
18 such effective date; or

19 “(ii) the date on which the Secretary
20 determines that the facility has come into
21 compliance with such minimum staffing re-
22 quirements.

23 “(C) RELATIONSHIP TO OTHER ENFORCE-
24 MENT MECHANISMS.—The remedies provided
25 under this paragraph are in addition to those

1 otherwise available under this subsection and
2 shall not be construed as limiting such other
3 remedies.”.

4 (iii) INELIGIBILITY FOR CERTAIN
5 STATE DIRECTED PAYMENTS.—The Sec-
6 retary of Health and Human Services shall
7 revise section 438.6(c)(2) of title 42, Code
8 of Federal Regulations (or a successor reg-
9 ulation) such that, beginning January 1,
10 2029, no State directed payment specified
11 in such section may be made for nursing
12 facility services furnished by a facility that
13 does not meet the minimum staffing re-
14 quirements of subparagraph (D) of section
15 1919(b)(4) of the Social Security Act (42
16 U.S.C. 1396r(b)(4)), as added by subpara-
17 graph (A) (including such a facility that
18 has in effect a waiver of such requirements
19 under clause (iii) of such subparagraph).

20 (iv) APPLICATION TO TRANSFER AND
21 DISCHARGE RIGHTS.—Section
22 1919(c)(2)(A) of the Social Security Act
23 (42 U.S.C. 1396r(c)(2)(A)) is amended by
24 adding at the end of the flush-left text the
25 following new sentence: “Beginning Janu-

1 ary 1, 2029, a nursing facility may not
2 transfer or discharge a resident solely for
3 purposes of meeting the minimum staffing
4 requirements under subsection (b)(4)(D).”.

5 (v) NOTICE OF NONCOMPLIANCE TO
6 RESIDENTS AND GUARDIANS.—

7 (I) IN GENERAL.—Section
8 1919(e) of the Social Security Act (42
9 U.S.C. 1396r(c)) is amended by add-
10 ing at the end the following new para-
11 graph:

12 “(9) NOTICE IN THE CASE OF NONCOMPLIANCE
13 WITH MINIMUM STAFFING STANDARDS.—Beginning
14 January 1, 2029, in the case of a nursing facility
15 that does not meet the minimum staffing require-
16 ments of subsection (b)(4)(D) (including such a fa-
17 cility that has in effect a waiver of such require-
18 ments under clause (iii) of such subsection), such fa-
19 cility shall—

20 “(A) prominently display at the entrance
21 to the facility a notice that such facility does
22 not meet such standards (and has in effect such
23 a waiver, if applicable); and

24 “(B) provide each resident of the facility
25 (or, where appropriate, the guardians or legal

1 representatives of such residents) and members
2 of their immediate families with a written copy
3 of such notice.”.

4 (II) NURSING HOME COMPARE
5 WEBSITE.—Section 1919(i)(1)(A)(i)
6 of the Social Security Act (42 U.S.C.
7 1396r(i)(1)(A)(i)) is amended by in-
8 serting “(and, beginning January 1,
9 2029, information on whether the fa-
10 cility meets the minimum staffing re-
11 quirements of subsection (b)(4)(D) (or
12 has in effect a waiver of such require-
13 ments under clause (iii) of such sub-
14 section)” after “staffing turnover and
15 tenure”.

16 (C) CONFORMING AMENDMENTS.—

17 (i) Item (a) of section
18 1919(f)(2)(B)(iii)(I) of the Social Security
19 Act (42 U.S.C. 1396r(f)(2)(B)(iii)(I)) is
20 amended by inserting “or subsection
21 (b)(4)(D)(iii)” after “subsection
22 (b)(4)(C)(ii)”.

23 (ii) Paragraph (9) of section 1919(f)
24 of the Social Security Act (42 U.S.C.
25 1396r(f)) is amended by inserting “or sub-

1 section (b)(4)(D)(iii)” after “subsection
2 (b)(4)(C)(ii)”.

3 (b) INCLUSION OF TIMESTAMP ON FACILITY STAFF-
4 ING DATA.—Section 1128I(g) of the Social Security Act
5 (42 U.S.C. 1320a–7j(g)) is amended—

6 (1) in paragraph (3), by striking “and” at the
7 end;

8 (2) in paragraph (4), by striking the period at
9 the end and inserting “; and”; and

10 (3) by inserting after paragraph (4) the fol-
11 lowing new paragraph:

12 “(5) beginning January 1, 2027, include time-
13 stamped information on the hours worked per day
14 by each certified employee in each category of cer-
15 tified employees referenced in paragraph (1).”.

16 (c) REPORTS.—Section 1128I of the Social Security
17 Act (42 U.S.C. 1320a–7j) is amended by adding at the
18 end the following new subsection:

19 “(i) REPORTS ON FACILITY STAFFING LEVELS.—
20 Not later than January 1, 2034, and every 5 years there-
21 after, the Secretary of Health and Human Services shall
22 submit to Congress a report on the minimum nurse staff-
23 ing levels required under sections 1819(b)(4)(D) and
24 1919(b)(4)(D). Each such report shall include—

1 “(1) an analysis of the impact of such minimum
2 nurse staffing levels on—
3 “(A) resident safety;
4 “(B) quality of care;
5 “(C) the rate of deficiency citations re-
6 ceived by facilities; and
7 “(D) wages, benefits, and employment re-
8 tention of nurse staff; and
9 “(2) recommendations as to whether such min-
10 imum nurse staffing levels should be adjusted.”.