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VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to direct the Joint Commission on Health Care to evaluate the workforce in Virginia's nursing facilities; report.

[H 605]

Approved

Be it enacted by the General Assembly of Virginia:

1. § 1. *That the Joint Commission on Health Care shall evaluate the workforce in Virginia's nursing facilities. In conducting its evaluation, the Joint Commission shall (i) review the findings of its 2021 report on "Workforce Challenges in Virginia's Nursing Homes" and assess current nursing facility direct care hours per resident compared to the current Centers for Medicare and Medicaid Services expected hours, (ii) examine direct care provided by registered nurses, licensed practical nurses, and certified nurse aides in nursing facilities and whether this level of care meets the hour requirement set by the Department of Medical Assistance Services for use in the Virginia Medicaid Nursing Facility Value-Based Purchasing program of case mix-adjusted total nurse staffing hours. The Joint Commission shall also review and develop recommendations on the efficacy of utilizing a measure of registered nurse coverage as an additional component of the minimum staffing requirement, in collaboration with relevant stakeholders. The review shall examine (i) the potential care benefits of increased registered nurse coverage, (ii) the practical impact of such a measure on staffing availability and costs, (iii) methods for reporting and calculating a measure of registered nurse coverage; and (iv) any other relevant factors necessary to determine compliance with such a measure. Additionally, such review shall consider other aspects of the hours per patient per day component of the staffing standards established pursuant to this act, including use of an adjusted per patient per day staffing requirement and the potential inclusion of other direct care professionals in the per patient day calculation. The Joint Commission on Health Care shall report on its findings and recommendations to the Governor and the Chairs of the House Committees on Health and Human Services and Appropriations and the Senate Committees on Education and Health and Finance and Appropriations by December 1, 2026.*