

## Before and After Georgia House Bill 987

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Requirements	Chapter 5 of Title 30 and Title 31 of the Official Code of Georgia Annotated, Title 43 of the Official Code of Georgia Annotated	House Bill 987
<b>Applicability</b>	Applied to nursing homes.	Applies to nursing homes, assisted living facilities, and personal care homes.
<b>Staffing</b>	<p>Assisted living communities and personal care homes were not previously included in Chapter 5 of Title 30 and 31.</p> <p>No statutory staffing requirements for nursing homes.</p>	<p>Revised Code Section: 31-7-12 <i>(Effective July 1, 2021)</i></p> <p><b>Personal Care Homes with 25 or More Beds</b></p> <ul style="list-style-type: none"> <li>- Maintain a staffing ratio of one direct care staff person for every 15 residents during waking hours and one direct care staff person for every 20 residents during non-waking hours.</li> </ul> <p><b>Personal Care Homes with Memory Care Centers</b></p> <ul style="list-style-type: none"> <li>- May employ certified medication aides (CMA) who are listed in the Medication Aide Registry.</li> <li>- Conduct a competency review of each medication aide.</li> <li>- If the home has more than one CMA, the home must hire a licensed pharmacist.</li> </ul> <p><b>Assisted Living Communities</b></p> <ul style="list-style-type: none"> <li>- Maintain a staffing ratio of one direct care staff person for every 15 residents during waking hours and one direct care staff person for every 20 residents during non-waking hours.</li> <li>- Must have at least two on-site direct care staff persons at all times.</li> </ul>

		<ul style="list-style-type: none"> <li>- Have a registered professional nurse or licensed practical nurse on site, subject to specific resident-to-hour ratios per week.</li> </ul>
<b>Training</b>	<p>Assisted living communities and certain personal care homes were not previously included in Chapter 5 of Title 30 and 31.</p> <p>No statutory training requirements for nursing homes.</p>	<p>Revised Code Section: 31-7-12 (<i>Effective July 1, 2021</i>)</p> <ul style="list-style-type: none"> <li>- Every direct care staff person in a personal care home with 25 or more beds or assisted living communities must have initial and annual trainings.</li> </ul>
<b>Financial Stability</b>	None.	<p>Revised Code Section 31-7-12 (<i>Effective July 1, 2021</i>)</p> <ul style="list-style-type: none"> <li>- Every personal care home with 25 or more beds and assisted living communities must provide a financial stability affidavit from a certified public accountant.</li> <li>- If the facility faces bankruptcy or property eviction, they must give 60 days' written notice.</li> <li>- If the facility faces impending change of ownership, they must give 14 days' written notice.</li> </ul>
<b>Memory Care Center</b>	None.	<p>New Code Section: 31-7-12.4 (<i>Effective July 1, 2021</i>)</p> <ul style="list-style-type: none"> <li>- A certificate must be issued by DCH to operate.</li> </ul> <p><b>Staffing:</b></p> <ul style="list-style-type: none"> <li>- One dementia trained direct care staff for every 12 residents during waking hours, and for every 15 residents during all non-waking hours.</li> <li>- Requires one registered professional nurse, licensed practical nurse or CMA, and two on-site direct care staff persons at all times.</li> <li>- One registered nurse or licensed practical nurse must be on site subject to number of residents-to-hours ratio per week.</li> </ul>

		<p><b>Training:</b></p> <ul style="list-style-type: none"> <li>- All staff must have at least four hours of dementia-specific orientation within first 30 days of work.</li> <li>- All direct care staff must complete a minimum of 16 hours of specialized training within first 30 days of work.</li> </ul>
<p><b>Licensing</b></p>	<ul style="list-style-type: none"> <li>- No person was permitted to serve as a nursing home administrator without first obtaining a license from the Board.</li> <li>- The Board created the qualifications for a nursing home administrator license.</li> <li>- The State Board of Nursing Home Administrators composed of 13 members – one licensed medical doctor, one registered nurse, one educator, three members of the public, one hospital administrator, and six licensed nursing home administrators.</li> <li>- Any person who acts or serves as a nursing home administrator without a license was guilty of a misdemeanor.</li> </ul>	<p>Revised Code Section: 43-27-1, et seq.  <i>(Law Effective June 30, 2020; Administrator license requirements effective July 1, 2021)</i></p> <ul style="list-style-type: none"> <li>- No person can serve as an administrator of a long-term care facility without first obtaining a license from the board.</li> <li>- The Board creates the qualifications for a personal care home administrator license, assisted living community administrator license, and a nursing home administrator license.</li> <li>- The “State Board of Nursing Home Administrator” name changed to “State Board of Long-Term Care Facility Administrators.</li> <li>- The composition of the board must be comprised of three nursing home administrators, three personal care or assisted living community home administrators, two members of the public, and one healthcare professional.</li> <li>- These 9 members are subject to licensing requirements from the Board.</li> <li>- Any person who serves or acts as a personal care home or assisted living community administrator without a license is guilty of a misdemeanor.</li> </ul>

<b>Pandemic Preparedness</b>	None.	<p>New Code Section: 31-7-12.5 (Effective June 30, 2020)</p> <ul style="list-style-type: none"> <li>- Within 30 days after June 30, 2020, each resident and direct care staff must receive a COVID test.</li> <li>- The facilities must inform the residents and their representatives by 5:00 p.m. the next day if there is a confirmed COVID infection or infectious disease.</li> <li>- All facilities must maintain a minimum of seven-day supply of personal protective equipment, maintain policies and procedures related to infection control, and have a disaster preparedness plan.</li> </ul>
<b>Fines</b>	Fine violations were \$1,000 per day per violation, up to \$25,000	<p>Revised Code Section: 31-2-8 (Effective June 30, 2020)</p> <ul style="list-style-type: none"> <li>- Fine violations are \$2,000 per day per violation, up to \$40,000.</li> <li>- The minimum mandatory fine is \$5,000 for each violation that causes death or serious harm to a resident.</li> </ul>
<b>Retaliation</b>	None.	<p>New Code Section: 30-5-4.1 (Effective June 30, 2020)</p> <p>“No person shall discriminate or retaliate in any manner against: (1) Any person who makes a report pursuant to this chapter, who testifies in any judicial proceeding arising from the report, who provides protective services, who participates in an investigation, or who participates on an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team under the provisions of this chapter; or (2) Any disabled adult or elder person who is the subject of a report.”</p>