

As Introduced

**127th General Assembly
Regular Session
2007-2008**

H. B. No. 346

Representative Hughes

**Cosponsors: Representatives Hagan, R., DeGeeter, Yuko, Strahorn, Flowers,
Peterson, Setzer, Oelslager, Williams, S., Fende, Skindell**

—

A B I L L

To enact sections 3727.50 to 3727.57 of the Revised Code regarding hospital staffing guidelines for registered nurses. 1
2
3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3727.50, 3727.51, 3727.52, 3727.53, 3727.54, 3727.55, 3727.56, and 3727.57 of the Revised Code be enacted to read as follows: 4
5
6

Sec. 3727.50. (A) As used in this section and sections 3727.51 to 3727.57 of the Revised Code: 7
8

"Direct patient care" means care provided by a registered nurse with direct responsibility to carry out medical regimens or nursing care for one or more patients. 9
10
11

"Nurse" means a person who is licensed to practice as a registered nurse under Chapter 4723. of the Revised Code. 12
13

(B) Each hospital shall convene a hospital-wide nursing care committee not later than ninety days after the effective date of this section or, if the hospital is not treating patients on the effective date of this section, ninety days after the hospital begins to treat patients. The hospital's chief nursing officer 14
15
16
17
18

must be a member and the committee's remaining membership must 19
include, but not be limited to, nurses who provide direct patient 20
care in a number sufficient to adequately represent on the 21
committee all types of nursing care services in the hospital. 22

Sec. 3727.51. The chief nursing officer of each hospital 23
shall establish a mechanism for obtaining input from nurses in all 24
inpatient care units who provide direct patient care regarding 25
what the nursing services staffing plan recommendations described 26
in division (B) of section 3727.52 of the Revised Code should 27
include. 28

Sec. 3727.52. A hospital-wide nursing care committee convened 29
pursuant to section 3727.50 of the Revised Code shall do all of 30
the following: 31

(A) If one exists, evaluate the hospital's current nursing 32
services staffing plan; 33

(B) Recommend a nursing services staffing plan that is 34
consistent with current standards established by private or 35
governmental accreditation organizations and addresses all of the 36
following: 37

(1) The selection, implementation, and evaluation of minimum 38
staffing levels for all inpatient care units that ensure that the 39
hospital has a staff of competent nurses with the specialized 40
skills needed to meet patient needs in accordance with 41
evidence-based safe nurse staffing standards. 42

(2) The complexity of complete care, assessment on patient 43
admission, volume of patient admissions, discharges and transfers, 44
evaluation of the progress of a patient's problems, ongoing 45
physical assessments, planning for a patient's discharge, 46
assessment after a change in patient condition, and assessment of 47
the need for patient referrals. 48

(3) Patient acuity and the number of patients for whom care is being provided. 49
50

(4) The need for ongoing assessments of a unit's patients and its nursing staff levels. 51
52

(5) The hospital's policy for identifying additional nurses who can provide direct patient care when patients' unexpected needs exceed the planned workload for direct care staff. 53
54
55

(C) The nursing services staffing plan recommended pursuant to division (B) of this section shall be made available to any person who requests it. 56
57
58

Sec. 3727.53. Each hospital shall create an evidence-based written nursing care services staffing plan guiding the assignment of nurses hospital-wide. The staffing plan must, at a minimum, reflect current standards established by private or governmental accreditation organizations and be implemented not later than ninety days after the hospital-wide nursing care committee is convened pursuant to section 3727.50 of the Revised Code, except that if the hospital's next fiscal year starts not later than one hundred eighty days after the date on which the committee convenes, implementation may be delayed until the first day of that fiscal year. 59
60
61
62
63
64
65
66
67
68
69

The plan shall be based on multiple nurse and patient considerations that yield minimum staffing levels for inpatient care units that ensure that the hospital has a staff of competent nurses with specialized skills needed to meet patient needs. These considerations shall include both of the following: 70
71
72
73
74

(A) The recommendations of the hospital-wide nursing care committee made under section 3727.52 of the Revised Code, which shall be given significant weight. 75
76
77

(B) All of the matters listed in divisions (B)(1) to (B)(5) 78

of section 3727.52 of the Revised Code. 79

Sec. 3727.54. At least once a year, the hospital-wide nursing care committee convened pursuant to section 3727.50 of the Revised Code shall do both of the following: 80
81
82

(A) Review how the most current nursing services staffing plan does all of the following: 83
84

(1) Affects inpatient care outcomes; 85

(2) Affects clinical management; 86

(3) Facilitates a delivery system that provides, on a cost-effective basis, quality nursing care consistent with acceptable and prevailing standards of safe nursing care and evidenced-based guidelines established by national nursing organizations. 87
88
89
90
91

(B) Make recommendations, based on the most recent review conducted under division (A) of this section, regarding how the most current nursing services staffing plan should be revised, if at all. The recommendations must be made available to any person who requests them. 92
93
94
95
96

Sec. 3727.55. To provide staffing flexibility to meet patient needs, every hospital shall identify a model for adjusting the staffing plan created under section 3727.53 of the Revised Code for each inpatient care unit. 97
98
99
100

Sec. 3727.56. A copy of the nursing care services staffing plan created under section 3727.53 of the Revised Code, and subsequent changes to it, shall be provided, free of charge, to the hospital's nursing staff and to any other person who requests it. 101
102
103
104
105

Sec. 3727.57. Nothing in sections 3727.50 to 3727.56 of the 106

<u>Revised Code shall be construed to limit, alter, or modify any of</u>	107
<u>the terms, conditions, or provisions of a collective bargaining</u>	108
<u>agreement entered into by a hospital.</u>	109