

**As Reported by the Senate Health, Human Services and Aging
Committee**

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Sub. H. B. No. 346

Representative Hughes

**Cosponsors: Representatives Hagan, R., DeGeeter, Yuko, Strahorn, Flowers,
Peterson, Setzer, Oelslager, Williams, S., Fende, Skindell, Bacon, Batchelder,
Beatty, Boyd, Brown, Celeste, Chandler, Combs, DeBose, Distel, Driehaus,
Dyer, Evans, Gerberry, Goyal, Harwood, Heard, Jones, Letson, Luckie,
McGregor, J., Okey, Patton, Sayre, Schneider, Slesnick, Szollosi, White,
Williams, B., Yates**

Senators Cafaro, Morano, Goodman, Padgett, Schuring, Miller, D., Wagoner

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A B I L L

To enact sections 3727.50 to 3727.57 of the Revised Code regarding hospital staffing guidelines for registered nurses and licensed practical nurses. 1
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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
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Sec. 3727.50. As used in this section and sections 3727.51 to 3727.57 of the Revised Code: 7
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(A) "Direct patient care" means care provided by a nurse with direct responsibility to carry out medical regimens or nursing care for one or more patients. 9
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(B) "Inpatient care unit" means a hospital unit, including an 12

operating room or other inpatient care area, in which nursing care 13
is provided to patients who have been admitted to the hospital. 14

(C) "Nurse" means a person who is licensed to practice as a 15
registered nurse under Chapter 4723. of the Revised Code or, if 16
the hospital employs licensed practical nurses, a person who is 17
licensed to practice as a licensed practical nurse under that 18
chapter. 19

Sec. 3727.51. (A) Each hospital shall convene a hospital-wide 20
nursing care committee not later than ninety days after the 21
effective date of this section or, if the hospital is not treating 22
patients on the effective date of this section, ninety days after 23
the hospital begins to treat patients. The hospital shall select 24
the members of the committee, subject to all of the following: 25

(1) The hospital's chief nursing officer shall be included as 27
a member of the committee. 28

(2) At least fifty per cent of the committee's membership 29
shall consist of registered nurses who provide direct patient care 30
in the hospital. 31

(3) The number of registered nurses included as members of 32
the committee shall be sufficient to provide adequate 33
representation of all types of nursing care services provided in 34
the hospital. 35

(B) The committee member who is the hospital's chief nursing 36
officer shall establish a mechanism for obtaining input from 37
nurses in all inpatient care units who provide direct patient care 38
regarding what the nursing services staffing plan recommendations 39
described in division (B) of section 3727.52 of the Revised Code 40
should include. 41

Sec. 3727.52. A hospital-wide nursing care committee convened 42

pursuant to section 3727.51 of the Revised Code shall do both of 43
the following: 44

(A) If one exists, evaluate the hospital's current nursing 45
services staffing plan; 46

(B) Recommend a nursing services staffing plan that is, at a 47
minimum, consistent with current standards established by private 48
accreditation organizations or governmental entities and addresses 49
all of the following: 50

(1) The selection, implementation, and evaluation of minimum 51
staffing levels for all inpatient care units that ensure that the 52
hospital has a staff of competent nurses with the specialized 53
skills needed to meet patient needs in accordance with 54
evidence-based safe nurse staffing standards; 55

(2) The complexity of complete care, assessment on patient 56
admission, volume of patient admissions, discharges and transfers, 57
evaluation of the progress of a patient's problems, the amount of 58
time needed for patient education, ongoing physical assessments, 59
planning for a patient's discharge, assessment after a change in 60
patient condition, and assessment of the need for patient 61
referrals; 62

(3) Patient acuity and the number of patients for whom care 63
is being provided; 64

(4) The need for ongoing assessments of a unit's patients and 65
its nursing staff levels; 66

(5) The hospital's policy for identifying additional nurses 67
who can provide direct patient care when patients' unexpected 68
needs exceed the planned workload for direct care staff. 69

Sec. 3727.53. (A) In accordance with division (B) of this 70
section, each hospital shall create an evidence-based written 71
nursing services staffing plan guiding the assignment of nurses 72

hospital-wide. The staffing plan shall be implemented not later 73
than ninety days after the hospital-wide nursing care committee is 74
convened pursuant to section 3727.51 of the Revised Code, except 75
that if the hospital's next fiscal year starts not later than one 76
hundred eighty days after the date on which the committee 77
convenes, implementation may be delayed until the first day of 78
that fiscal year. 79

(B) The staffing plan created under this section shall, at a 80
minimum, reflect current standards established by private 81
accreditation organizations or governmental entities. The plan 82
shall be based on multiple nurse and patient considerations that 83
yield minimum staffing levels for inpatient care units that ensure 84
that the hospital has a staff of competent nurses with specialized 85
skills needed to meet patient needs. These considerations shall 86
include both of the following: 87

(1) The recommendations of the hospital-wide nursing care 88
committee made under section 3727.52 of the Revised Code, which 89
shall be given significant consideration; 90

(2) All of the matters listed in divisions (B)(1) to (5) of 91
section 3727.52 of the Revised Code. 92

Sec. 3727.54. At least once a year, the hospital-wide nursing 93
care committee convened pursuant to section 3727.51 of the Revised 94
Code shall do both of the following: 95

(A) Review how the most current nursing services staffing 96
plan does all of the following: 97

(1) Affects inpatient care outcomes; 98

(2) Affects clinical management; 99

(3) Facilitates a delivery system that provides, on a 100
cost-effective basis, quality nursing care consistent with 101
acceptable and prevailing standards of safe nursing care and 102

evidenced-based guidelines established by national nursing organizations. 103
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(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. 105
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Sec. 3727.55. To provide staffing flexibility to meet patient needs, every hospital shall identify a model for adjusting the nursing services staffing plan created under section 3727.53 of the Revised Code for each inpatient care unit. 109
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Sec. 3727.56. (A) A hospital shall provide copies of its nursing services staffing plan created under section 3727.53 of the Revised Code, in accordance with both of the following: 113
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(1) Free of charge, a copy of the staffing plan and subsequent changes to the plan shall be provided to each member of the hospital's nursing staff. 116
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(2) For a fee not to exceed actual copying costs, a copy of the staffing plan shall be provided to any person who requests it. 119
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(B) In a conspicuous location in the hospital, a notice shall be posted informing the public of the availability of the staffing plan. The notice shall specify the appropriate person, office, or department to be contacted to review or obtain a copy of the staffing plan. 121
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Sec. 3727.57. Nothing in sections 3727.50 to 3727.56 of the Revised Code shall be construed to limit, alter, or modify any of the terms, conditions, or provisions of a collective bargaining agreement entered into by a hospital. 126
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