

By Senator Braynon

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1 A bill to be entitled

2 An act relating to nurse staffing levels; creating s.
3 395.01922, F.S.; providing definitions; establishing a
4 nurse staffing committee in each hospital; providing
5 membership and duties; requiring the hospital to post
6 and publicize the nurse staffing plan and schedule;
7 providing an effective date.

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9 WHEREAS, registered nurses play a critical role in patient
10 safety and quality of care and the ever-worsening shortage of
11 nurses available to provide care in acute care hospitals has
12 necessitated multiple strategies to generate more nurses and
13 improve the recruitment and retention of nurses in hospitals,
14 and

15 WHEREAS, evidence-based nurse staffing can improve the
16 quality of patient care and improve nurse satisfaction in the
17 work environment, and hospital administrators and nursing
18 organizations recognize a mutual interest in promoting
19 initiatives that create a healthy environment for nurses and
20 safe care for patients, and

21 WHEREAS, to protect patients, support greater retention of
22 registered nurses, and promote evidence-based nurse staffing
23 initiatives, the Legislature intends to establish a mechanism
24 whereby direct patient care nurses and hospital management shall
25 participate in a joint process regarding decisions about nurse
26 staffing levels, NOW, THEREFORE,

27
28 Be It Enacted by the Legislature of the State of Florida:
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36-00559-15

20151342__

30 Section 1. Section 395.01922, Florida Statutes, is created
31 to read:

32 395.01922 Nurse Staffing levels.-

33 (1) DEFINITIONS.-As used in this section, the term:

34 (a) "Acuity" means the level of patient need for nursing
35 care, as determined by the nursing assessment.

36 (b) "Employee injury or illness" means an unexpected
37 physical or psychological injury or illness sustained by nursing
38 staff in the performance of their nursing duties.

39 (c) "Nursing personnel" means a registered nurse, a
40 licensed practical nurse, a certified nursing assistant, or
41 unlicensed assistive personnel who provide direct patient care.

42 (d) "Patient care unit" means a unit or area of the
43 hospital where patient care is provided by registered nurses.

44 (e) "Sentinel event" means an unexpected patient death or
45 injury as defined by the hospital.

46 (f) "Skill mix" means the number and relative percentages
47 of registered nurses, licensed practical nurses, certified
48 nursing assistants, and unlicensed assistive personnel who
49 provide direct patient care among the total number of nursing
50 personnel.

51 (2) NURSE STAFFING COMMITTEE.-

52 (a) By September 1, 2015, each hospital shall establish a
53 nurse staffing committee, either by creating a new committee or
54 assigning the functions of a nurse staffing committee to an
55 existing committee. At least one-half of the members of the
56 nurse staffing committee shall be registered nurses currently
57 providing direct patient care and up to one-half of the members
58 shall be determined by the hospital administration.

36-00559-15

20151342__

59 (b) The nurse staffing committee shall:

60 1. Develop and oversee an annual patient care unit and
61 shift-based nurse staffing plan, based on the needs of patients,
62 to be used as the primary component of the staffing budget.

63 Factors to be considered in the development of the plan shall
64 include, but are not limited to:

65 a. Census data, including total number of patients on the
66 unit on each shift and activity such as patient discharges,
67 admissions, and transfers.

68 b. Level of acuity of each patient and nature of the care
69 to be delivered on each shift.

70 c. Skill mix.

71 d. Level of education, training, and experience of nursing
72 personnel providing care.

73 e. The need for specialized or intensive equipment,
74 including protective equipment.

75 f. The architecture and geography of the patient care unit,
76 including, but not limited to, placement of patient rooms,
77 treatment areas, quarantine areas, nursing stations, medication
78 preparation areas, and equipment, including protective
79 equipment.

80 g. Staffing guidelines adopted or published by national
81 nursing professional associations, specialty nursing
82 organizations, and other health professional organizations.

83 h. Hospital finances and resources.

84 2. Review and revise the nurse staffing plan semiannually,
85 based on the needs of patients and evidence-based staffing
86 information, including information relating to the quality of
87 nursing care collected by the hospital.

36-00559-15

20151342__

88 3. Review, assess, and respond to staffing or other
89 concerns.

90 4. Review data relating to sentinel events, employee
91 injuries, and employee illnesses and evaluate whether the nurse
92 staffing plan was a contributing factor. The committee shall
93 revise the nurse staffing plan if staffing was a contributing
94 factor to a sentinel event.

95 (c) Each hospital shall post, in an employee area on each
96 patient care unit, the nurse staffing plan and the nurse
97 staffing schedule for the shift on that unit and the relevant
98 clinical staffing for that shift.

99 (d) Each hospital shall publish the nurse staffing plan on
100 its website. Patients and visitors shall be provided with a
101 print version of the nurse staffing plan upon request. The
102 hospital shall provide the following information to patients and
103 visitors:

104 1. Anticipated staffing mix for the requested unit,
105 including the number of registered nurses, licensed practical
106 nurses, nursing assistants, unlicensed personnel who provide
107 direct patient care, and clerical support staff.

108 2. Anticipated number of registered nurses providing care
109 in the requested unit for the requested period.

110 Section 2. This act shall take effect July 1, 2015.