

By Senator Rich

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1 A bill to be entitled
2 An act relating to nurse staffing; creating s.
3 395.01921, F.S.; providing legislative findings;
4 providing definitions; requiring hospitals to
5 establish a nurse staffing committee; providing the
6 membership of the committee; providing the
7 responsibilities of the committee; requiring the nurse
8 staffing committee to produce an annual nurse staffing
9 plan; requiring the chief executive officer of a
10 hospital to provide written reasons if the plan is not
11 adopted by the hospital; requiring each hospital to
12 post the nurse staffing plan and the nurse staffing
13 schedule and to make them available to patients and
14 visitors upon request; providing an effective date.

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16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Section 395.01921, Florida Statutes, is created
19 to read:

20 395.01921 Nurse staffing.-

21 (1) LEGISLATIVE FINDINGS.-

22 (a) The Legislature finds that research evidence
23 demonstrates that registered nurses play a critical role in
24 patient safety and quality of care. The worsening shortage of
25 nurses available to provide care in acute care hospitals has
26 necessitated multiple strategies to generate more nurses and
27 improve the recruitment and retention of nurses in hospitals.
28 The Legislature also finds that evidenced-based nurse staffing
29 that can help ensure quality and safe patient care while

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30 increasing nurse satisfaction in the work environment plays a
31 key role in solving an urgent public health issue in this state.
32 Hospitals and nursing organizations recognize a mutual interest
33 in patient safety initiatives that create a healthy environment
34 for nurses and safe care for patients.

35 (b) In order to protect patients, support a greater
36 retention of registered nurses, and promote evidence-based nurse
37 staffing, the Legislature intends to establish a mechanism
38 whereby direct-care nurses and hospital management participate
39 in a joint process regarding decisions about nurse staffing.

40 (2) DEFINITIONS.—As used in this section, the term:

41 (a) "Hospital" has the same meaning as defined in s.
42 395.002.

43 (b) "Acuity" means the level of patient need for nursing
44 care, as determined by the nursing assessment.

45 (c) "Nursing personnel" means registered nurses, licensed
46 practical nurses, certified nursing assistants, and unlicensed
47 assistive nursing personnel providing direct patient care.

48 (d) "Patient care unit" means any unit or area of the
49 hospital in which patient care is provided by registered nurses.

50 (e) "Skill mix" means the number and relative percentages
51 of registered nurses, licensed practical nurses, certified
52 nursing assistants, and unlicensed assistive nursing personnel
53 among the total number of nursing personnel.

54 (3) NURSING STAFFING COMMITTEE; DUTIES.—

55 (a) By September 1, 2009, each hospital shall establish a
56 nurse staffing committee by creating a new committee or by
57 assigning the functions of a nurse staffing committee to an
58 existing committee. Hospital administrative staff shall appoint

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59 the members of the nurse staffing committee, and a significant
60 number of the members must be registered nurses who currently
61 provide direct patient care.

62 (b) Primary responsibilities of the nurse staffing
63 committee include:

64 1. The development and oversight of an annual patient care
65 unit and shift-based nurse staffing plan, based on the needs of
66 patients, which shall be used as the primary component of the
67 staffing budget. Factors to be considered in the development of
68 the plan shall include, but need not be limited to:

69 a. The patient census, including the total number of
70 patients in the unit on each shift, and activities such as
71 patient discharges, admissions, and transfers;

72 b. Level of acuity of all patients and nature of the care
73 to be delivered on each shift;

74 c. Skill mix;

75 d. Level of education, training, and experience of the
76 nursing personnel providing care;

77 e. The need for specialized or intensive equipment;

78 f. The architecture and geography of the patient care unit,
79 including, but not limited to, the placement of patient rooms,
80 treatment areas, nursing stations, medication-preparation areas,
81 and equipment;

82 g. Staffing guidelines adopted or published by national
83 nursing professional associations, specialty nursing
84 organizations, and other professional health care organizations;
85 and

86 h. Hospital finances and resources.

87 2. A semiannual review of the staffing plan against patient

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88 needs and known evidence-based staffing information, including
89 the nursing-sensitive quality indicators collected by the
90 hospital.

91 3. The review, assessment, and response to staffing
92 concerns presented to the committee.

93 (c) The committee shall produce the hospital's annual nurse
94 staffing plan. If this staffing plan is not adopted by the
95 hospital, the chief executive officer shall provide a written
96 explanation of the reasons to the committee.

97 (d) Each hospital shall post in an employee area on each
98 patient care unit the nurse staffing plan and the nurse staffing
99 schedule for that shift on that unit, as well as the relevant
100 clinical staffing for that shift. The staffing plan and current
101 staffing levels must also be made available to patients and
102 visitors upon request.

103 Section 2. This act shall take effect July 1, 2009.