

By Senator Aronberg

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1 A bill to be entitled
2 An act relating to nursing services; creating s.
3 395.01922, F.S.; providing definitions; requiring
4 hospitals to establish nurse staffing committees;
5 providing for membership and responsibilities;
6 requiring committees to produce annual hospital nurse
7 staffing plans; requiring the chief executive officer
8 to provide a written explanation for refusal to adopt
9 a proposed staffing plan; requiring the hospital to
10 post the adopted nurse staffing plan and nurse
11 staffing schedule in patient care units; providing for
12 patient and visitor access to staffing plans and
13 schedules; providing an effective date.

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15 WHEREAS, research demonstrates that registered nurses play
16 a critical role in patient safety and quality of care, and
17 because of the ever-worsening shortage of nurses, hospitals are
18 employing multiple strategies to recruit and retain nurses, and

19 WHEREAS, the implementation of evidence-based nurse
20 staffing plans to foster safe, high-quality patient care and
21 increase job satisfaction for nurses is crucial to solving this
22 urgent public health issue, and

23 WHEREAS, hospitals and nursing organizations share a mutual
24 interest in patient safety initiatives that create a healthy
25 environment for nurses and improve the safe care of patients,
26 and

27 WHEREAS, in order to protect patients, support greater
28 retention of registered nurses, and promote evidence-based nurse
29 staffing, the Legislature intends to establish a mechanism

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30 whereby direct care nurses and hospital administrative staff
31 participate in a joint process regarding decisions about nurse
32 staffing levels, NOW, THEREFORE,

33
34 Be It Enacted by the Legislature of the State of Florida:

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36 Section 1. Section 395.01922, Florida Statutes, is created
37 to read:

38 395.01922 Nurse staffing committees.-

39 (1) As used in this section, the term:

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

42 (b) "Nurse staffing committee" means the committee
43 established by a hospital under this section.

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

47 (d) "Nursing-sensitive quality indicators" means indicators
48 that capture care or the outcomes most affected by nursing care.

49 (e) "Patient care unit" means any unit or area of the
50 hospital that provides patient care by registered nurses.

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

55 (2) By September 1, 2009, each hospital licensed under this
56 chapter shall establish a nurse staffing committee, either by
57 creating a new committee or assigning the functions of a nurse
58 staffing committee to an existing committee. A majority of the

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59 members of the nurse staffing committee shall be registered
60 nurses currently providing direct patient care. Other members
61 shall be determined by the hospital administration.

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

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

69 1. Census information, including total numbers of patients
70 in the unit on each shift, and activity in the unit, such as
71 patient discharges, admissions, and transfers.

72 2. The acuity level of all patients and the nature of the
73 care to be delivered on each shift.

74 3. The skill mix.

75 4. The level of education, training, and experience of the
76 nursing personnel providing care.

77 5. The need for specialized equipment.

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

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

85 8. Hospital finances and resources.

86 (b) A semiannual review of the staffing plan with regard to
87 patient needs and evidence-based staffing information, including

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88 the nursing-sensitive quality indicators collected by the
89 hospital.

90 (c) A review, assessment, and response to staffing concerns
91 presented to the committee.

92 (4) The committee shall produce an annual nurse staffing
93 plan for the hospital. If the hospital does not adopt the
94 recommended staffing plan, the chief executive officer of the
95 hospital shall provide a written explanation of the decision to
96 the committee.

97 (5) Each hospital shall post the adopted nurse staffing
98 plan and staffing schedule for each shift in each patient care
99 unit. The staffing plan must be posted in an area visible to
100 employees. Current staffing schedules must be made available to
101 patients and visitors upon request.

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