

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; requiring  
 6       committees to produce annual hospital nurse staffing  
 7       plans; requiring the chief executive officer to provide a  
 8       written explanation for refusal to adopt a proposed  
 9       staffing plan; requiring the hospital to post the adopted  
 10      nurse staffing plan and nurse staffing schedule in patient  
 11      care units; providing for patient and visitor access to  
 12      staffing plans and schedules; providing an effective date.

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

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

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

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

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

32 |

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

34 |

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

37 | 395.01922 Nurse staffing committees.--

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

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

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

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

46 | (d) "Nursing-sensitive quality indicators" means  
 47 | indicators that capture care or the outcomes most affected by  
 48 | 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  
 56 | this chapter shall establish a nurse staffing committee, either

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57 by creating a new committee or assigning the functions of a  
58 nurse staffing committee to an existing committee. A majority of  
59 the 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  
65 care unit and shift-based nurse staffing plan, based on the  
66 needs of patients, to be used as the primary component of the  
67 staffing budget. Factors to be considered in the development of  
68 the plan 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  
79 unit, 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.

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85       8. Hospital finances and resources.

86       (b) A semiannual review of the staffing plan with regard  
87 to patient needs and evidence-based staffing information,  
88 including the nursing-sensitive quality indicators collected by  
89 the hospital.

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