

Ohio lawmakers push plan to set nurse staffing requirements in hospitals

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The Ohio Nurses Association declared “code red” earlier this year due to understaffing in Ohio hospitals, now state lawmakers are looking to do something about it.

House Bill 285, the “Workforce and Safe Patient Care Act,” co-sponsored by state Reps. Haraz Ghanbari, R-Perrysburg, and Elgin Rogers, Jr., D-Toledo, would create minimum staffing ratios in hospitals, among other requirements.

“Ohio’s nurses and healthcare workers are tired and fed up with hospital administrators turning a blind eye to the unsafe staffing conditions and this bill is a step in the right direction. We are in a patient care crisis, but this legislation will guarantee safety for patients and healthcare workers in Ohio’s hospitals,” Robert Weitzel, Ohio Nurses Association president, said in a press release.

The bill creates a \$20 million “loan-to-grant” program for nurses that commit to five years of service, whether at the bedside or in nurse education, in Ohio post-graduation. Nurses would be eligible for \$3,000 a year for up to four years.

“This is about safety and about supporting our workforce,” Ghanbari said. “It will be a better opportunity that will translate into a better work environment for nurses in Ohio’s hospitals.”

ONA ran a survey of nurses throughout Ohio from May to June. It found seven out of every 10 direct-care nurses are considering leaving bedside nursing due to current conditions, but 89% of direct-care nurses said minimum staffing standards in Ohio would increase their likelihood of remaining in a direct-care role.

“This is a pro-patient piece of legislation asking for reasonable staffing levels for our nurses,” Rogers said.

How would it work?

A nurse staffing committee would be created in Ohio hospitals to give meaningful representation in setting safe, working staffing levels, Ghanbari said.

The committee would comprise half direct-care registered nurses, with at least one registered nurse serving as a member from each of the hospital's patient care units, and all or part of the remainder would be made up of non-management staff.

“We believe that those that are in the front lines of patient care should have a voice in determining those appropriate staffing ratios,” Ghanbari said.

Hospitals would develop and implement a nurse staffing plan, which will be based on the recommendations the hospital receives from its nurse staffing committee.

Minimum staffing ratios of registered nurse-to-patient would be between 1-to-1 and 1-to-6. The Ohio Department of Health can establish stricter ratios if deemed necessary.

The ratios have to be in place within two years, four years for rural areas, after the effective dates. There are provisions that prohibit the use of video or overtime to meet ratios.

However, there would be exceptions to the ratio requirements. The exceptions are:

- State of emergency.
- Emergency room patient diversion.
- Inability to obtain staff, but the hospital must have made reasonable efforts to obtain staff but couldn't, which would be in consultation with the staffing committee.
- Unforeseeable clinical care needs where a nurse is willing to accept assignment of additional patients because of life threatening adverse effects.
- Deviations for not more than 12 hours, no more than six in a 30 day period, so long as the hospital doesn't deny meal breaks, the staffing committee has to be notified.
- Use of innovative care models.
- Transfers from another hospital if the patient is in critical care.
- Certain patient circumstances like waiting to discharge, or any other provisions as determined by the staffing committee.

How would nurse-to-patient ratios be enforced?

In order to check for violations, hospitals would be audited to ensure compliance at least once every two years. Hospitals will be required to do a corrective action plan if there are any violations.

If the violation is not resolved, the hospital will owe \$25,000 for a first offense and \$50,000 for any offense following. The money collected from violations would go into the Ohio Department of Education's existing nurse education assistance loan program.

Other requirements include public transparency, including a description of the staffing ratio and the information of the nurses on shift. There would also be a patient safety telephone line for reporting staffing violations. Provisions would also ban discriminating, interfering with or intimidating a registered nurse, hospital patient or any other person who, in good faith, files a complaint.