

HB 2230 A STAFF MEASURE SUMMARY

House Committee On Judiciary

Action Date: 03/13/19

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 11-0-0-0

Yeas: 11 - Barker, Bynum, Gorsek, Greenlick, Lewis, McLane, Piluso, Power, Sprenger, Stark, Williamson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Addie Smith, Counsel

Meeting Dates: 2/7, 3/13

WHAT THE MEASURE DOES:

Provides specific restrictions on the amount of mandatory overtime nursing staff at Department of Corrections facilities may be required to work. Allows a correctional facility to require nursing staff to work up to four additional hours post-shift in specified circumstances. Permits mandatory overtime when there is a specified emergency.

ISSUES DISCUSSED:

- Job duties of correctional nursing staff
- Current use of mandatory overtime
- Effect of mandatory overtime on the lives of nursing staff, nursing staff retention, and patients at correctional facilities
- Consideration of emergencies and exigent circumstances

EFFECT OF AMENDMENT:

Allows a correctional facility to require nursing staff to work up to four additional hours post-shift in specified circumstances. Allows for mandatory overtime when there is a specified emergency.

BACKGROUND:

Oregon law creates restrictions on the amount of mandatory overtime nursing staff in a hospital may be required to work. See ORS 441.166. Specifically, hospital nursing staff may not be required to work: beyond any agreed-upon prearranged shift; more than 48 hours in any hospital-defined work week; more than 12 hours in a 24-hour period; or during the 10-hour period immediately following the 12th hour worked in any 24-hour period. Exceptions to the rule are already in place for unannounced staff vacancies and emergency situations. See ORS 441.166.

House Bill 2230 A extends the restrictions of ORS 441.166 to nursing staff in Department of Corrections facilities and delineates specific emergencies relevant to the correctional setting that permit the facility to require mandatory overtime.