

Enrolled
House Bill 3016

Sponsored by Representative NOSSE; Representatives EVANS, SANCHEZ

CHAPTER

AN ACT

Relating to hospital nurse staffing plans; amending ORS 441.165.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 441.165 is amended to read:

441.165. (1) For purposes of this section, “epidemic” means the occurrence of a group of similar conditions of public health importance in a community or region that are in excess of normal expectancy and that are from a common or propagated source.

(2) Notwithstanding ORS 441.155 and 441.156, a hospital is not required to follow a written hospital-wide staffing plan developed and approved by the hospital nurse staffing committee under ORS 441.154 upon the occurrence of:

(a) A national [*or state*] emergency **or state emergency declared under ORS 401.165 to 401.236 or 433.441 to 433.452** requiring the implementation of a facility disaster plan[, *or upon the occurrence of*] **and crisis standards of care;**

(b) Sudden unforeseen adverse weather conditions; or

(c) An infectious disease epidemic suffered by hospital staff.

(3)(a) No later than 30 days after a hospital deviates from a written hospital-wide staffing plan under subsection (2)(a) of this section, the hospital incident command shall report to the cochairs of the hospital nurse staffing committee established under ORS 441.154 an assessment of the nurse staffing needs arising from the national or state emergency declaration.

(b) Upon receipt of the report described in paragraph (a) of this subsection, the hospital nurse staffing committee shall convene to develop a contingency nurse staffing plan to address the needs arising from the national or state emergency declaration. The contingency nurse staffing plan must include crisis standards of care.

(c) The hospital’s deviation from the written hospital-wide staffing plan may not be in effect for more than 90 days without the approval of the hospital nurse staffing committee.

[(3)] (4) Upon the occurrence of [*an*] a national or state emergency [*circumstance*] declaration or circumstances not described in subsection (2) of this section, either cochair of the hospital nurse staffing committee may require the hospital nurse staffing committee to meet to review and potentially modify the staffing plan in response to the emergency [*circumstance*] declaration or circumstances.

Passed by House April 9, 2021

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate June 2, 2021

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Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

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Shemia Fagan, Secretary of State