

**HB 2697 A STAFF MEASURE SUMMARY**

**House Committee On Behavioral Health and Health Care**

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**Action Date:** 04/04/23

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

**Vote:** 7-3-1-0

**Yeas:** 7 - Bowman, Dexter, Morgan, Nelson, Nosse, Pham H, Tran

**Nays:** 3 - Conrad, Diehl, Goodwin

**Exc:** 1 - Javadi

**Fiscal:** Fiscal impact issued

**Revenue:** Revenue impact issued

**Prepared By:** Brian Nieuburt, LPRO Analyst

**Meeting Dates:** 2/28, 3/28, 4/4

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**WHAT THE MEASURE DOES:**

Requires hospital to establish hospital professional and technical staffing committee and hospital service staffing committee (Staffing Committees) consisting of equal number of managers and staff. Requires Staffing Committees to develop written hospital-wide staffing plans and specifies criteria Staffing Committees must consider in developing staffing plans. Specifies procedures for adoption of staffing plans and administration of Staffing Committee meetings. Permits combining of Staffing Committees in specified circumstances. Specifies nurse staffing ratios for specified hospital units and circumstances permitting deviation from ratios. Requires psychiatric unit to create multi-disciplinary subcommittee of nurse staffing committee to create staffing plan for psychiatric unit. Specifies exceptions from direct care registered nurse-to-patient staffing ratios and requirements for nurse staffing plan adoption. Modifies hospital nurse staffing committee and plan requirements, including requiring formal process for evaluating and initiating limitations on admitting patients or diverting patients. Requires Oregon Health Authority (OHA) to allow type A and type B hospitals to request two-year variance from hospital nurse staffing requirements. Requires hospital nurse staffing committee to adopt staffing plan meeting specified criteria by June 1, 2024. Requires OHA to adopt method for hospital staff to submit complaints regarding hospital staffing requirements and specifies investigation procedures and timelines. Beginning June 1, 2025, requires OHA to impose civil penalties for violations of hospital staffing plan requirements and specifies amounts. Specifies circumstances requiring OHA imposition of civil penalties. Requires OHA to convene subcommittee of Nurse Staffing Advisory Board to advise on adoption of specified rules and specifies required representation on subcommittee. Declares emergency, takes effect September 1, 2023.

**ISSUES DISCUSSED:**

- Prevalence of burnout among health care workers
- Impacts of staffing ratios in California
- Impacts of workforce shortages on ability to staff hospitals
- Impacts of COVID-19 on workforce and capacity in all health care settings
- Differences in providing care in urban vs. rural areas
- Differences in establishing staffing levels for providers vs. technical staff
- Calculation of mandated staffing ratios

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

In 2015, the Legislative Assembly passed Senate Bill 469 updating Oregon's nurse staffing laws, including requiring hospitals to establish hospital nurse staffing committees to develop and approve hospital nurse staffing plans. The measure provided factors for hospital nurse staffing committees to consider when developing nurse staffing plans and required the Oregon Health Authority (OHA) to audit hospitals to determine compliance with staffing plan requirement. Senate Bill 469 also established the Nurse Staffing Advisory Board in OHA to advise on the administration of the state's nurse laws and identify trends, opportunities, and concerns related to nurse staffing.

The COVID-19 pandemic stressed a health care workforce that was already understaffed, aging, and maldistributed. Inadequate hospital staffing can lead to worse patient outcomes, including increases in infections, falls, and other preventable events.

House Bill 2697 A requires the establishment of hospital professional, technical, and service staffing committees and staffing plans in addition to the already required nurse staffing committee and staffing plan. The measure also modifies hospitals nurse staffing plan requirements and requires the Oregon Health Authority to issue civil penalties for hospital staffing plan violations beginning June 1, 2025.