

# Headlines from the Hill

## Safe staffing saves lives— ANA advances RN staffing bill

By Michelle M. Artz, MA

Recent studies have demonstrated what most health-care consumers already know: nursing care and quality patient care are inextricably linked. Reduced nursing budgets combined with a growing nursing shortage have resulted in fewer nurses working longer hours and caring for sicker patients. This situation compromises care and contributes to the nursing shortage by creating an environment that drives nurses from the bedside.

Securing appropriate staffing to protect nurses and patients remains a lead priority for ANA. Although there is widespread agreement in the nursing community about the current staffing crisis, debate over the best solution to this problem continues.

ANA supports the establishment of nurse-patient ratios to address the current crisis, but feels strongly that these ratios must be set, not by legislators, but in the workplace, in direct coordination with nurses themselves, and based on unit-by-unit circumstances and needs.

While ANA respects all attempts to address the staffing issue, it has real concerns about the establishment and legislation of fixed nurse-to-patient ratio numbers in federal or state legislation. While such legislated numerical ratios seem to offer a concrete solution, and may appear to be a good fit for some workplaces, many other variables—including acuity of patients, level of experience of nursing staff, layout of the unit, level of ancillary support—are key to establishing the “right” nurse-patient ratio for any one unit.

ANA believes that registered nurses are the professionals best prepared to make these staffing decisions. This approach, based on ANA’s *Principles for Nurse Staffing*, treats direct-care nurses as more than just a number in a ratio.

This is why ANA worked with Sen. Daniel Inouye (D-HI) and Rep. Lois Capps (D-CA) during the 108<sup>th</sup> Session of Congress to develop and introduce the Registered Nurse Safe Staffing Act—legislation that would hold hospitals accountable for developing and implementing valid, reliable nurse-staffing plans based on each unit’s unique characteristics and needs. This legislation has been reintroduced during the current 110<sup>th</sup>

Congress in both the House (HR 4138) and the Senate (S 73). Sen. Inouye has again sponsored the Senate bill, and we are pleased to report that Rep. Ginny Brown-Waite (R-FL) joined Rep. Capps this session as a lead sponsor of the House bill when it was introduced on November 9.

The Registered Nurse Safe Staffing Act recognizes nurses as professionals and requires that they play an integral part in staffing plan development and decision making by giving them a say in the care that they provide. Rather than establishing a specific numeric ratio, the act requires the establishment of a staffing system that “ensures a number of registered nurses on each shift and in each unit of the hospital to provide for appropriate staffing levels for patient care.”

Specifically the staffing system must:

- be created with input from direct-care RNs or their designated representative
- be based on the number of patients and patient acuity level, with consideration given to patient admissions, discharges, and transfers on each shift
- reflect the level of preparation and experience of those providing care
- reflect staffing levels recommended by specialty nursing organizations
- provide that an RN not be forced to work in a particular unit without having first established that he or she is able to provide professional care in such a unit.

Another key provision of the bill is the requirement of public reporting of staffing information. Under the legislation, hospitals would be required to post daily the number of licensed and unlicensed staff providing direct patient care on each unit and each shift, while specifically noting the number of RNs.

The bill also provides whistle-blower protections for RNs and others who may file a complaint regarding staffing, establishes procedures for receiving and investigating complaints, and creates enforcement mechanisms, including civil monetary penalties, that can be imposed by the Secretary of Health and Human Services for each knowing violation.

Since the inception of the Registered Nurse Safe Staffing Act, ANA has been working to educate members of Congress and build support for this important bill, and we need your help. Visit [www.safestaffing saveslives.org](http://www.safestaffing saveslives.org) to learn how you can get involved and make a difference in the fight for safe staffing. ★

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