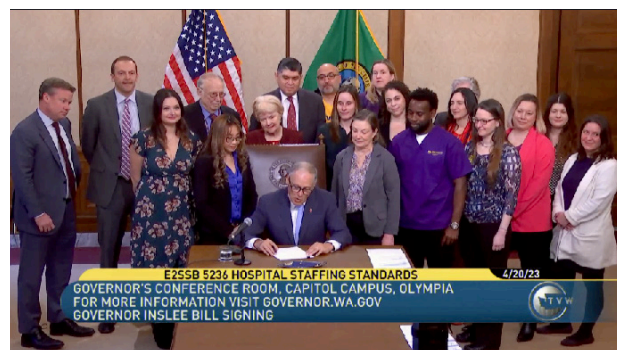


# Our advocacy paid off: Safer staffing is coming to Washington hospitals

## Our journey toward implementation and accountability begins

Our bill to address safe staffing in hospitals, ESSB 5236, was passed by the House last month — the last step in a lengthy legislative process that we, in coalition with SEIU Healthcare 1199NW, UFCW 3000, and the Washington State Nurses Association, helped move forward with our actions, stories, and willingness to use our collective voice to ensure safer care in our hospitals. When we fight, we win!

The bill landed on Gov. Inslee's desk to be signed into law on April 20, 2023. As of today, our bill is law.



### The new safe staffing law will:

- ✓ Strengthen accountability to hospital staffing plans set by staffing committees.
- ✓ Eliminate CEO veto power over those plans.
- ✓ Expand staffing committees to include LPNs, CNAs, and other direct patient care staff in addition to RNs.
- ✓ Reduce hospitals' ability to pack staffing committees with people who impede plans.
- ✓ Create uniform reporting forms, which will mean that patients and healthcare workers will easily understand how many staff should be present.
- ✓ Require hospitals to report noncompliance to the Department of Health (DOH) and the Department of Labor & Industries (L&I).
- ✓ Allow DOH to issue corrective action plans that could require minimum staffing standards and fines.
- ✓ Expand meal and rest break laws to include all frontline staff.
- ✓ Close loopholes to make mandatory overtime laws fully enforceable.
- ✓ Allow L&I to issue escalating penalties for missed breaks.
- ✓ Funds the Washington State Institute for Public Policy to conduct a study of existing staffing plans.



"I'm very glad to see the nursing staff representatives on our staffing committees expanded to include CNAs and LPNs alongside RNs. I know ensuring strict enforcement of a new staffing law is going to take some work, but I'm excited to get started learning how we can use it to keep our patients safer, our hospitals accountable, and our jobs more sustainable." - **Patricia Brown, LPN, Tacoma General, member of UFCW 3000**



"We made history in Washington state! We now have a hospital staffing law that provides real enforcement of safe staffing standards in our hospitals and includes corrective action for hospitals when they continue to not meet their matrix, including minimum staffing standards. This law also strengthens the voices of workers and removes the CEO veto on a staffing plan that passes in the staffing committee. We are so excited and ready to celebrate!" - **David Antwi, CNA, Providence Swedish, member of SEIU Healthcare 1199NW**



"I have been on my local Staffing Committee and very involved in its work for approximately the past 8 years. I know firsthand how difficult it has been to hold hospitals accountable for safe staffing. I am confident this new law will strengthen and support the work of Staffing Committees throughout Washington state. Our guidelines will be enforceable, not vulnerable to CEO veto, and our complaints to the Department of Health can no longer be ignored." - **Nonie Kingma, RN, recently retired from Sacred Heart Medical Center, member of WSNA**

# An overview of our implementation timeline for the next two years

## June 1, 2023

The new law kicks in and existing staffing plans are considered the baseline, and future staffing plans that lower standards of care can be rejected by staffing committees.

## January 1, 2024

Hospital staffing committees, expanded to include LPNs, CNAs and other nursing staff, are established.

### Who is considered “nursing staff” in the context of staffing committees?

Under the new law, hospital staffing committees will include other direct patient care staff in addition to registered nurses. Nursing staff refers to registered nurses, licensed practical nurses, nursing assistants-certified, and unlicensed assistive nursing personnel providing direct patient care. Under the law, 50% of the voting members of the staffing committee must be nursing staff.

## March 1, 2024

Uniform reporting forms become available, allowing for information to be easily and consistently understood. Hospitals supply data to advisory committees, and committees will analyze this data to develop uniform hospital staffing plan forms.

## June 1, 2024

The Washington State Institute for Public Policy will conduct a study on hospital staffing standards for direct care, review current and historical staffing plans filed with DOH, give us more data on maximum staffing assignments so we can compare with professional association guidance, and issue recommendations and best practices.

## July 1, 2024

A charter will be required to be filed with DOH by hospitals and will no longer be a recommendation. Under the charter, hospital staffing committees will have clear processes for meetings, release to attend meetings, electing co-chairs, and reviewing staffing complaints. At this time, the committee will send a draft of the annual staffing plan to the CEO.

## October 1, 2024

Hospitals will adopt written policies and establish documenting procedures to follow when they are out of compliance with the staffing plan. DOH will develop a form to report failure to meet at least 80% compliance.

## January 1, 2025

Hospitals submit their final staffing plans to DOH.

## July 1, 2025

Hospitals must implement the staffing plan and assign staff in accordance with the plan. After this date, if a hospital is in compliance less than 80% in a month, they must report the noncompliance to DOH within seven days of the end of the month.

*A complete timeline detailing implementation steps through 2027 will be distributed soon.*

We sent a clear message to legislators this session: We need safe staffing to begin addressing the staffing recruitment and retention crisis! This hard-fought victory is a big step towards safer staffing.

