



Nurse Staffing Improvement Act and Implementation Resources

November 19, 2021

WELCOME

We're glad you're here!

Today's...

Purpose

Share background and requirements of the Nurse Staffing Improvement Act of 2021, present Nurse Portal resources, and INSPIRE YOU.

Goal

Create a shared vision and platform to develop and promote nurse staffing best practices, and sustain the gains.

Presenters

Susan Swart, Executive Director, ANA-IL

Nichole Magalis, Vice President, Member Advocacy, IHA

Elaine Kemper, President, IONL

Nancy Allen, Senior Operations Specialist, ICAHN

HOW WE GOT HERE

Nurse Staffing Ratios—A Brief History

- Legislation to impose Nurse Staffing Ratios has been filed in the Illinois General Assembly nearly every year for the past 20 years.
- Each version would have mandated a 24/7/365 nurse-to-patient ratio—across every unit, including all breaks and meals.

Presumes:

- Proposed nurse-to-patient ratios for each type of nursing unit
- Fixed number of patients for each nurse at all times
- Proposed ratios to be followed 24/7, even during breaks, meetings, in-services, etc.
- All patients have the same need
- All shifts require the same resources

Ignores:

- The existing law which requires that nurses who are members of staffing committees can make recommendations on staffing in their own hospital
- Nurse education & experience
- Variances in patient acuity
- Additional nursing resources—e.g., unit clerks, patient care techs, patient transport
- Different needs on different shifts

Illinois Nursing Legislation

- Over the same period, legislation has been negotiated and enacted to address nursing workplace issues:

2004	2005	2007	2011	2018	Aug. 2021
Hospital Report Card Act	Prohibition of Mandated Nurse Overtime	Nurse Staffing by Patient Acuity Act	Safe Patient Handling Act	Health Care Violence Prevention Act	Nurse Staffing Improvement Act



Nurse Staffing by Patient Acuity Act

(Part 250 IL Hospital Licensing Requirements Section 250, 1130)

Enacted in Illinois in 2007 as a better alternative to mandatory nurse-patient ratios.

- Allows hospitals and their nurses to plan staffing
- Aligns staffing considerations with patient needs
- Incorporates nurse perspective, education, and experience into staffing decisions
- Requires:
 1. **Nursing Care Committee** comprised of a minimum of 50% Registered Nurses who provide direct patient care. Contributes to the development, recommendation, and review of the hospital's staffing plan
 2. **Written Staffing Plan** accessible by direct care staff and patients
 3. **An Acuity Model** for adjusting the staffing plan for each inpatient care unit

Working Together to Find Workable Solutions

- **Despite the 2007 Nurse Staffing by Patient Acuity law**, some organizations continue to advocate for legislated nurse-patient ratios, believing that strict ratios will ensure patient safety.
- **Based on our experience with unintended consequences**, we do not believe that numeric, fixed ratios will solve the problems with staffing and may, in fact, cause new issues in care delivery in all healthcare sectors.
- **A 2018 staffing survey conducted by ANA-Illinois** showed that staffing continued to be an issue and application of the 2007 staffing law was inconsistent.
- **ANA-Illinois and IHA collaborated on an amendment**, SB2153, to strengthen the 2007 law and ensure nurses play a meaningful role in optimal staffing for patient care.
- **Effective staffing models require partnerships** between nurses and hospital/health system leadership, including those in finance, operations, and clinical areas.

NURSE STAFFING IMPROVEMENT ACT

Senate Bill 2153—Nurse Staffing Improvement

Passed IL House in May 2021 with only one dissenting vote, and passed IL Senate unanimously



Nurse Staffing Improvement Act—Public Act 102-064

Signed by Governor in August 2021, effectively immediately



Public Act 102-0641

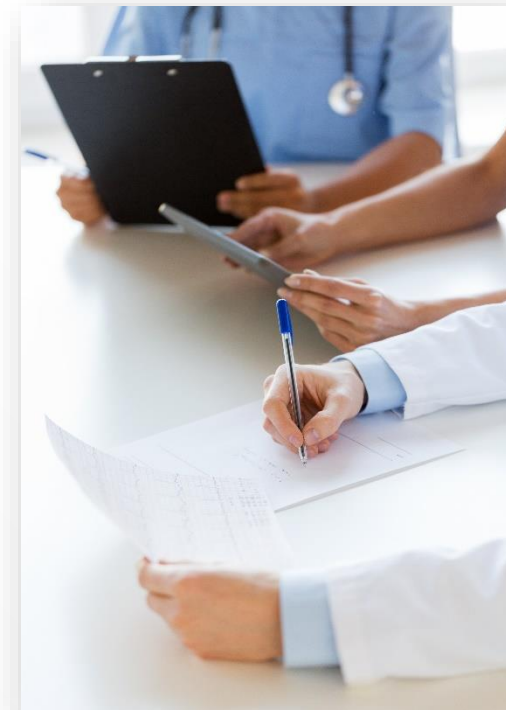
Nurse Staffing Improvement Act

Amends the Nurse Staffing by Patient Acuity Act by:

- Strengthening the voice of the direct-care registered nurse
- Enhancing the role of the Nursing Care Committee
- Elevating hospital accountability

Enhanced requirements are effective immediately:

- Hospital's Nursing Care Committee
- Staffing Plan and Nurse Concerns
- Chief Nursing Officer Responsibilities
- Compliance and Enforcement
- Addressing the Nurse Shortage



PA102-0641 Nursing Care Committee

Amended the 2007 Nurse Staffing by Patient Acuity Law:

1. Composition of at least **55%** nurses who are providing direct inpatient care **(Was 50%)**
2. Co-Chair must be a direct-care nurse **(NEW)**
3. Must meet at least **six times** per year **(Was semi-annually)**
4. Charge:
 - Prepare and recommend the hospital staffing plan to hospital administrators **(Was recommend only. Adds Emergency Department)**
 - Prepare an annual hospital governing board report that addresses considerations in the development of the plan, changes made based on committee recommendations, impact of changes, and recommendations for future changes **(NEW)**
 - Prepare two reports per year for nurses that discuss the considerations that went into developing the staffing plan **(NEW)**

PA102-0641 Staffing Plans & Nurse Concerns

1. When developing/reviewing the staffing plan, issues to be considered include:
 - Patient outcomes
 - Complaints related to staffing
 - Unit number of nursing hours provided compared to patients on the unit
 - Aggregate overtime nursing hours worked
 - Degree to which actual shifts worked varied from what is provided for in the staffing plan
2. A process must be established for nurses to report variations from the staffing plan with respect to the assignment of nursing personnel. The reports must be reviewed and addressed by the Nursing Care Committee **(NEW)**
3. Retaliation is prohibited against an employee who expresses a concern or complaint regarding a violation of the *Nurse Staffing by Patient Acuity Act* or concerns related to nurse staffing **(Now specifically stated)**

PA102-0641 CNO Responsibilities

NEW

If the hospital staffing plan recommended by the Nursing Care Committee is not adopted, the Chief Nursing Officer must provide a written statement to the Committee describing:

1. The reasons why the staffing plan developed by the Committee was not adopted by the hospital; and
2. The changes or any alternative to the Committee's proposed staffing plan.

Delivery must be prior to the hospital's adoption of a staffing plan



PA102-0641 Compliance & Enforcement

NEW

- Authorizes IDPH to enforce compliance of these requirements by mandating corrective action plans and fines.
 - Corrective Action Plan
 - If a hospital demonstrates a pattern or practice of failing to substantially comply.
 - Must be submitted to IDPH within 60 days.
 - Fines may be imposed if a hospital:
 - Fails to implement a written staffing plan for nursing services, \$500/event.
 - Demonstrates a pattern or practice of failing to substantially comply with the corrective action plan within 60 days after the plan takes effect (\$500/event); second/subsequent time (\$1,000/event).
 - Violations may be publically disclosed.

YOU'RE NOT IN THIS ALONE

The Next Steps

1. Implement PA102-0641's provisions
 - Use the Nursing Care Committee to set and prove a collaborative 'one-team' vision.
2. Provide nurse awareness and education
 - Keep ALL your nurses informed of the purpose and achievements of your Nursing Care Committee.
3. Identify your staffing standards and best practices and make sure they are sustainable
 - Share your efforts with your colleagues across Illinois in order to build, improve, and sustain together.

Working Together to Find Workable Solutions

Coalition for Nurse Staffing Improvement



WITH A LITTLE HELP FROM YOUR FRIENDS

Nurse Staffing Act Resources

<https://www.team-iha.org/nurse-portal>



Member Resources Our Association Contact Us C-Suite Nurse Portal **MEMBER LOGOUT**

IHA
Illinois Health and Hospital Association

ADVOCACY & POLICY FINANCE EDUCATION & EVENTS QUALITY & SAFETY NEWS BUSINESS RESOURCES

Home > **Nurse Staffing**

Topics in Nurse Staffing

- Public Act 102-0641
- Tools and Resources
- Talking Points
- Self-Assessment
- Contact Us

 AMERICAN NURSES ASSOCIATION
ILLINOIS

 **ICAHN**
Illinois Critical Access Hospital Network

 **IONL**
Illinois Organization of Nurse Leaders
An affiliate of the American Organization of Nurse Executives

Optimizing Nurse Staffing

Working together to find workable solutions.

Nurse Staffing Act Resources

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Public Act 102-0641

Review the text of the *Nurse Staffing Improvement Act*, Public Act 102-0641. The requirements of the new Act were effective on Aug. 27, 2021, the day it was signed into law.

READ MORE

- Public Act 102-0641
Nursing Improvement
Act text
- Nurse Staffing
Improvement Act
Summary – PowerPoint
- Nurse Staffing
Improvement Act
Summary - PDF

Nurse Staffing Act Resources

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Tools and Resources

Our partner tools and resources can help your organization comply with PA102-0641 requirements including establishing a nursing care committee and developing a staffing plan.

[READ MORE](#)

- FAQs
- Examples of:
 - Nurse Care Committee agendas
 - Acuity Systems
 - Staffing Policies
- ANA: Business of Caring, allocation report

Nurse Staffing Act Resources

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Talking Points

Starting the conversation about nurse staffing requires preparation. Talking points for various audiences can help you clearly explain the new law and what's next.

READ MORE

- Beginning Conversations with direct care staff
- Talking points to use with the community
- Talking points to use with surveyors – *coming soon!*

Nurse Staffing Act Resources

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Self-Assessment

How far along is your organization in meeting the requirements of the *Nurse Staffing Improvement Act*? Find out by completing an assessment.

[READ MORE](#)

Seven questions for you to answer to measure your progress with implementing the new requirement of the *Nurse Staffing Improvement Act*.

Nurse Staffing Act Resources

<https://www.team-iha.org/nurse-portal>

Our hope is that you find these resources useful.

Our ask is that you send us additional resources you have found useful and allow us to post and share them with your colleagues.

Working Together to Find Workable Solutions

OPEN FORUM

Participant Instructions

- Please mute your microphone when not speaking.
- We welcome your questions and comments live or typed in the chat box. If you prefer, please direct them in the chat to Tammy De Leonardis or Helga Brake and we will read them anonymously.
- Use the raise hand function or chat function to ask a question or provide a comment.
- When speaking, please introduce yourself with your name and organization.

Please share your success and challenges in standing up your Nursing Care Committee and meeting the requirements of the Act



Live Life to the Fullest

Life is crazy
and totally unpredictable.

Listen to your heart, follow your dreams, and let no one tell you
what you're capable of.

Push the limits, bend the rules and enjoy every minute of it.

Believe in yourself and never lose faith in others.

Settle for nothing but only the best and give 110 % in everything
you do.

Appreciate all the rewards and jump on every opportunity.

Forget the unnecessary, but remember everything, bring it with
you everywhere you go.

Learn something new and appreciate criticism.

Never forget where you came from, and always remember where
you are going.

Even if its totally insane, find your purpose in life.

And live it.

Thank You!

Join us for our next call on January 21

In the meantime, send your questions,
comments and concerns to

NurseStaffing@team-iha.org