

FIRST REGULAR SESSION

HOUSE BILL NO. 799

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (39) (Sponsor), WILDBERGER, DOUGHERTY, BOWMAN, CHAPPELLE-NADAL, MEADOWS, ROORDA, WRIGHT-JONES, FRAME, LeVOTA, SCAVUZZO, RUCKER, WALSH, EL-AMIN, HAYWOOD, FALLERT, CORCORAN, LAMPE, SPRENG, SCHOEMEHL, STORCH AND TALBOY (Co-sponsors).

Read 1st time February 7, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0577L.011

AN ACT

To amend chapter 197, RSMo, by adding thereto one new section relating to the posting of nurse staffing levels at hospitals.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 197, RSMo, is amended by adding thereto one new section, to be known as section 197.296, to read as follows:

197.296. 1. Beginning January 1, 2008, every hospital licensed under this chapter shall compile and post daily in the patient care area of each unit of the hospital, and provide upon request to a member of the public, information detailing for each unit and for the end of the prevailing shift, as appropriate:

(1) The number of registered professional nurses providing direct patient care and the ratio of registered professional nurses to patients;

(2) The number of licensed practical nurses providing direct patient care and the ratio of licensed practical nurses to patients;

(3) The number of certified nurse aides providing direct patient care and the ratio of certified nurse aides to patients;

(4) The methods used by the hospital for determining and adjusting direct patient care staffing levels.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 **2. The information posted under this section shall be displayed in a manner that**
14 **is visible and accessible to all patients, their families, and caregivers in the hospital, as**
15 **determined by rule of the department of health and senior services and subject to the**
16 **applicable requirements of federal law.**

17 **3. A hospital shall report the information compiled under this section to the**
18 **department of health and senior services on a monthly basis, on a form and in a manner**
19 **prescribed by the department. The department shall make such information available to**
20 **the public on a quarterly basis, accompanied by a written explanation, which the**
21 **department shall prepare, to assist members of the public in interpreting the information**
22 **reported under this section.**

23 **4. Any hospital that fails to comply with the provisions of this section, or any rules**
24 **promulgated thereto, shall be subject to licensure sanction.**

25 **5. The department of health and senior services shall promulgate rules to**
26 **implement the provisions of this section, in consultation with the technical advisory**
27 **committee on the quality of patient care and nursing practices established in section**
28 **197.291. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
29 **that is created under the authority delegated in this section shall become effective only if**
30 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
31 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
32 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
33 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
34 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
35 **adopted after August 28, 2007, shall be invalid and void.**

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