



February 19, 2010

Dear Members of the Washington State Legislature,

We are writing to express our very strong opposition to Engrossed Second Substitute House Bill (E2SHB) 3024, regulating meal and rest breaks for registered nurses, licensed practical nurses, and a variety of skilled technologists in hospitals. We are the leaders of the largest hospitals in the state, but we are writing on behalf of all Washington hospital leaders who are united in their opposition to E2SHB 3024.

The bill has been amended, and many legislators believe they have addressed hospital concerns with the bill. That is not true. E2SHB 3024 remains totally unacceptable.

Let us be clear: we absolutely believe hospital employees need adequate meal and rest breaks. The care provided to patients is so important and so complicated that our staff must be alert and vigilant when providing patient care.

This legislation is the wrong approach; it would be unworkable in the real world. *If the bill is enacted, all employee breaks will have to be rigidly scheduled to ensure the hospital is complying with the law.* Flexibility for structuring breaks is completely eliminated. It is a one-size-fits-all mandate from Olympia for thousands of hospital employees in different units in many different kinds of hospitals.

This rigidity removes caregivers' professional judgment about when interruptions to a break are reasonable, given patient needs. Caregivers typically take a break when their patients are stable or resting, not according to a predetermined schedule. The flexibility to take breaks when safest for patients will disappear under this bill.

The bill also eliminates a caregiver's ability to arrange his or her break time based on personal needs. Our staff can take their breaks in order to call to check in with a child at a certain time. They can arrange for shared break time with co-workers or friends. They can divide up their breaks to help them manage complicated lives, make personal phone calls, or check personal email. If this bill is enacted, we will be unable to accommodate these personal needs and desires.

While the bill allows staff to "temporarily choose" to take several shorter rest breaks, this is a very ambiguous exception. To demonstrate we are complying with the law, we will need to have documentation of each request, why the request is being made, and confirmation that it is the employee, not the hospital, asking for shorter breaks. This will be a rare, carefully managed, and hard to administer exception.

If you enact this bill, you will make hospitals the only industry in Washington State micromanaged to this level. Other meal and rest break legislation applicable to public employees and construction trades (WAC 296-126-092 and RCW 49.12.187) allow collective bargaining agreements to supersede legislative regulations.

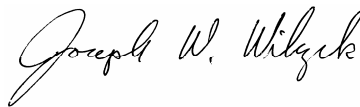
Meal and rest break concerns should be handled through collective bargaining or, for non-unionized hospitals, through nurse staffing committees in order to preserve flexibility. We hope we can count on you to vote no on E2SHB 3024.

We would be happy to discuss our concerns with you.

Sincerely,



Jack Evans
President and CEO
Central Washington Hospital



Joseph W. Wilczek
President and CEO
Franciscan Health System



Scott W. Bosch
President and CEO
Harrison Medical Center



Diane Cecchettini, RN
President and CEO
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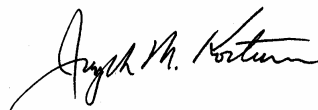
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