Redefining the H
Beyond the walls and into the community
The 42nd Annual Rural Hospital Leadership Conference
Building on Legislative Success: Implementing New Nurse Staffing and Charity Law

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Nurse Staffing
Nurse Staffing and the 2017 Session

• Meal and rest breaks, pre-scheduled on-call and mandatory overtime – (HB 1715; died)

• Nurse Staffing Committees – (HB 1714; passed)
  • Original bill focused on ratios
  • New compromised bill focused on improving existing nurse staffing committee structure
  • Effective date for most of new law – January 1, 2019
Existing Law on Nurse Staffing Committees

- Enacted in 2008 and remains in place
- The framework can be found at RCW 70.42.410 and 70.41.420.
  - RN staffing committee 50/50 representation
  - Develop/post staffing plans
  - Semi-annual review
  - Review staffing concerns
  - Etc.
<table>
<thead>
<tr>
<th><strong>Nurse Staffing – The New 2017 Law (HB 1714)</strong></th>
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<tr>
<td><strong>Add to Existing Law</strong></td>
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<tr>
<td>• Adds new components to staffing plan</td>
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<td>• Requires staffing plan submission to DOH</td>
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<td><strong>Hospital Autonomy</strong></td>
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<td>• Maintains and clarifies ECO authority</td>
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<td>• Clarifies shift-to-shift adjustments</td>
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<td><strong>Complaint Process</strong></td>
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<td>• Staffing committee to respond to complaints/track</td>
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<td>• Establish DOH complaint process for unresolved violations</td>
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<td><strong>Investigation/Civil Penalty</strong></td>
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New Tools and Resources for Success

• Collaborative effort between WSHA, WSNA, SEIU and UFCW21
  • Charter
  • Law checklist
  • Complaint decision tree
  • Standardized complaint form
  • Standardized staffing plan elements
  • Attestation form
# Nurse Staffing Committee Checklist

## Nurse Staffing Committee (NSC) Checklist

### NSC composition and participation
- At least 50% are staff nurses (RNs providing direct patient care).
- Staff nurses on the NSC are selected by the union if RNs represented by union.
- Participation on NSC shall be scheduled work time, relieved of all other work duties, and paid.
- No retaliation or intimidation of employees serving on NSC or reporting concerns to NSC.

### NSC primary responsibilities
- Development & oversight of annual patient care unit & shift staffing plan based on patient care needs.
- Semiannual review of staffing plan against patient need & evidenced-based info (nursing sensitive indicators).
- Review, assess, and respond to staffing variations/concerns/complaints reported to the NSC.
- Track complaints reported to the NSC.
- Track resolution of each complaint by NSC (resolved, dismissed, unresolved).

### Key elements in development of staffing plan
- Census, including total number of patients on unit/shift including discharges, admissions, and transfers.
- Level of intensity of all patients and nature of care delivered on each shift.
- Skill mix.
- Level of experience and specialty certification or training.
- Need for specialized or intensive equipment.
- Layout of patient care unit including placement of patient rooms, treatment areas, nursing stations, medication prep areas, and equipment.
- Staffing guidelines adopted by national nursing profession and specialty nursing organizations.
- Availability of other personnel supporting nursing services.
- Strategies to enable nurses to take meal and rest breaks.
Ensuring Success Under the New Nurse Staffing Law
Operationalizing the New Law

- Develop common understanding of the new law
- Assess current staffing committee structure
- Identify gaps and opportunities for improvement
- Leverage new tools and resources
- Engage WSHA for direct support
  - Invite staff to staffing committee
A Renewed Focus on Data

• Keeping and empowering staffing committees with good data will be critical
  • Number and type of complaints received
  • Resolution of complaints
  • When and how complaint resolutions were conveyed to staff

• The tools and resources WSHA and unions have developed are intended to help support good data collection
Staffing Committee Best Practices

- Consider holding staffing meetings monthly so that dialogue remains open and issues/concerns can be addressed.
- Commit to resolving concerns and complaints timely and nearest to where the work occurs.
- Routinely set aside a portion of the staffing committee time to review the open and/or posted positions reports for your facility to demonstrate your commitment to hiring expert staff.
- Commit to support from senior leadership – CEO, CNO, CFO
Staffing Committee Best Practices

• If representation from all shifts is desired, rotate meeting times between morning and evening to make participation easier.

• Continue to evaluate the leaders present on the committee and remain open to having non-nurse managers participate.

• Template annual staffing plans after receiving broad input so there is consistency among the unit plans and buy-in on the format.

• Establish a calendar for creation of annual plans and the process of review. Review to ensure compliance with the law.
Charity Care

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What is Charity Care?

• State law mandates charity care and specific eligibility criteria
  • Augmented by 2007 voluntary hospital pledge

• All hospitals licensed in WA must provide charity care
  • Free and discounted care on a sliding fee scale.
  • Applies to uninsured and insured.
  • Cannot have policies that restrict access based on inability to pay.

• Must make charity care information **publicly available** and provide **translation/interpretation**.

(501(c)(3) nonprofit hospitals must also follow 501(r) law)
Interest in Charity Care and Hospital Compliance
# Charity Care at All Hospitals

<table>
<thead>
<tr>
<th>Income Level</th>
<th>Qualifying Patient</th>
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<tr>
<td>0-100% FPL</td>
<td>Law/Pledge: Full write off</td>
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<tr>
<td>101-200% FPL</td>
<td>Law: Sliding scale discount&lt;br&gt;Pledge: Discounts to reflect cost of care</td>
</tr>
<tr>
<td>201-300% FPL</td>
<td>Pledge: Discounts off charges to reflect 130% cost of care for uninsured</td>
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<tr>
<td></td>
<td>Can provide steeper discounts – many policies go to 400% or above</td>
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<td>Per hospital policy</td>
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100% FPL (2018): $12,140 (single person), $25,150 (family of four)
Hospital’s Voluntary Work on Charity Care

2007 Pledge
• More generous charity care
• Review of collections practices

2016 Standard Documents
• Standard application form
• Standard communication plan
• Model plain language summary
Changes to Charity Care Law - 2018

- Signage and notice requirements
- Notice of charity care on billing statements
- Information on hospital website
- Staff training
- New definitions of “charity care” and “third party coverage”
- Interpreters and translation
- Time period to assess income
Charity Care Tools and Resources for Success

- 2007 pledge on charity care and collections
- Standard application form and communications plan
- Educational WSHA webcasts
- Checklist for new training obligations
- WSHA staff
What Can You Do to Help Your Hospital?

**Nurse Staffing**
- Ensure staff participation in **trainings on the new law**
- Leverage **new tools and resources** as appropriate
- Demonstrate **commitment from leadership** to ensuring success

**Charity Care**
- What is your hospital’s **charity care policy**?
- Does the your **community know** about charity care?
- What are your hospital’s **collections practices**?
Questions?

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