

Final Summary: SHB 1155 as Amended in Conference Committee

Hospitals fought for many changes to the final bill to ensure the legislation included a more balanced approach to allow for the needs of both patients and staff. This summary reflects the final version of the bill.

Uninterrupted breaks requirement

- The bill establishes uninterrupted breaks for nurses, technologists and technicians in hospitals licensed under 70.41 RCW, but includes several important reasons for which breaks can be interrupted, including:
 - Large-scale declared emergencies or natural disasters;
 - Clinical circumstances (as defined by the employee, employer, or employer’s designee) that may lead to a “significant adverse effect on the patient’s condition” without the knowledge, skill, or ability of the employee on break; or
 - Unforeseen or unavoidable patient care events requiring immediate action.
- If a rest break is interrupted by an employer before 10 minutes, the employee shall receive an additional 10-minute uninterrupted break.
 - However, by providing this additional uninterrupted break, the break will not be considered missed and will satisfy the requirements of the minimum wage act to provide a break.
- Employers are required to provide a mechanism to record missed breaks.
- Effective date: These provisions go in to effect January 1, 2020. For Critical Access Hospitals (CAHs), hospitals with fewer than 25 acute care beds in operation, and two sole community hospitals, the effective date is delayed until July 1, 2021.

Mandatory overtime prohibition now applies to technicians and technologists

- Applies the current mandatory overtime prohibition in state law to technicians and technologists working at hospitals, hospice, community psychiatric hospitals, and certain other health care facilities that operate 24 hours a day, 7 days a week.
 - Effective date: July 1, 2020. For CAHs, hospitals with fewer than 25 beds in operation, and two sole community hospitals, the effective date is delayed until July 1, 2021.

Mandatory on-call and consecutive rest changes

- Clarifies that mandatory prescheduled on-call time for nurses, technicians, and technologists may not be used instead of scheduling employees to work regularly-scheduled shifts, as indicated by the hospital’s staffing plan.
- Prohibits the use of mandatory prescheduled on-call to address regular changes in patient census or acuity or expected increases in employees not reporting for regularly scheduled shifts. This allows hospitals to continue to use on-call for unanticipated increases in patient census or unplanned-for employee absences.
- If nurses/techs accept overtime and work for more than twelve hours, they must be given the option for at least eight hours of consecutive rest between shifts. This supports patient care by ensuring staff get the rest they need between shifts.
- Effective dates for the new on-call and consecutive rest provisions:
 - January 1, 2020 for nurses (RNs and LPNs)
 - July 1, 2020 for technicians and technologists
 - July 1, 2021 for employees at CAHs, hospitals with fewer than 25 beds in operation, and two sole community hospitals