

NOTICE:

SUMMARY OF NURSE STAFFING LAW PROVISIONS

ORS 441.151: "Hospital" defined, includes an acute inpatient care facility.

ORS 441.152: Nurse Staffing Advisory Board is established by the Governor and consists of 12 appointed members, half being nurse managers, and the other half being direct care nursing staff.

ORS 441.154: Hospital Nurse Staffing Committee requirements outlined, require equal number of nurse managers and direct care staff. This committee must develop a written hospital-wide nurse staffing plan. The committee must have bylaws or a charter that determine membership, voting rights, and define a quorum.

ORS 441.155: Written Staffing Plan for Nursing Services must be based upon skill mix, qualifications, and patient acuity. They must be consistent with nationally recognized best practices, and they must include a formal process for evaluating the staffing plan.

ORS 441.156: Annual Review of Staffing Plan is required, considering patient outcomes, mandatory and voluntary overtime worked, and quality measures.

ORS 441.157: Oregon Health Authority will audit each hospital at least once every three years, interviewing co-chairs, and review records.

ORS 441.164: Oregon Health Authority may grant variances to the written staffing plan requirements if they deem it necessary.

ORS 441.165: The Nurse Staffing Plan may be disregarded in the case of a national, state, or local emergency.

ORS 444.166: Hospital must make every reasonable effort to find replacement staff. Mandatory overtime is limited.

ORS 441.168: A Nurse may not leave a Patient Care Assignment during an agreed-upon shift.

ORS 441.169: On each hospital unit there shall be a Public Notice summarizing these requirements.

ORS 441.171: Oregon Health Authority will investigate any complaint regarding a violation of these provisions within 60 days.

ORS 441.173: Hospital must retain records to demonstrate compliance with this law.

ORS 441.175: Civil Penalties

ORS 441.177: Posting of Audit reports and Civil Penalties

ANTI-RETALIATION NOTICE

ANTI-RETALIATION LAW PROVISIONS

ORS 441.181: Hospital may not take retaliatory action against nursing staff for disclosing, intending to disclose, or testifying to a manager, accreditation organization or public body a reasonable belief that the hospital is in violation of the law or rule, and poses a risk to the health or well-being of the patients.

ORS 441.183: Remedies for retaliation may include civil action in a court of law.

ORS 441.184: Civil actions for retaliation are outlined.

ORS 441.192: Hospital shall post notices of anti-retaliation laws in a conspicuous place, where employees and applicants would easily notice.

- These sections of Oregon Law are available by accessing the text of the law on the State of Oregon website at https://www.oregonlegislature.gov/bills_laws/ors/ors441.html
- For information on staffing, you may also contact the Oregon Health Authority, Public Health Division,

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Health Care Regulation & Quality Improvement, 800 NE Oregon Street, #465, Portland, OR 97232, or via phone at 971/673-0540. Survey and Certification: mailbox.nursestaffing@odhsoha.oregon.gov

- To file a complaint against a Health Care Facility contact the Oregon Health Authority complaint reporting: 800 NE Oregon Street, #465, Portland, OR 97232, or via fax at 971/673-0556. Survey and Certification : mailbox.nursestaffing@odhsoha.oregon.gov or online at <http://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/HEALTHCAREPROVIDERSFACILITIES/HEALTHCAREHEALTHCAREREGULATIONQUALITYIMPROVEMENT/Pages/complaint.aspx#HFLCComplaint>
- For information on employment practices, you may also contact Oregon Bureau of Labor and Industries, 800 NE Oregon St., Suite 1045, Portland OR 97232 or at 971/673-0761. http://www.oregon.gov/boli/Pages/contact_us.aspx.