

FIRST REGULAR SESSION

SENATE BILL NO. 229

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time January 22, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1112S.01I

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
2 section, to be known as section 197.296, to read as follows:

**197.296. 1. Beginning January 1, 2010, every hospital licensed
2 under this chapter shall compile and post daily in the patient care area
3 of each unit of the hospital, and provide upon request to a member of
4 the public, information detailing for each unit and for the end of the
5 prevailing shift, as appropriate:**

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

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

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

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

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

20 **3. A hospital shall report the information compiled under this
21 section to the department of health and senior services on a monthly**

22 basis, on a form and in a manner prescribed by the department. The
23 department shall make such information available to the public on a
24 quarterly basis, accompanied by a written explanation, which the
25 department shall prepare, to assist members of the public in
26 interpreting the information reported under this section.

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

30 5. The department of health and senior services shall promulgate
31 rules to implement the provisions of this section. Any rule or portion
32 of a rule, as that term is defined in section 536.010, RSMo, that is
33 created under the authority delegated in this section shall become
34 effective only if it complies with and is subject to all of the provisions
35 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
36 section and chapter 536, RSMo, are nonseverable and if any of the
37 powers vested with the general assembly pursuant to chapter 536,
38 RSMo, to review, to delay the effective date, or to disapprove and annul
39 a rule are subsequently held unconstitutional, then the grant of
40 rulemaking authority and any rule proposed or adopted after August
41 28, 2009, shall be invalid and void.

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