

HB 1421 -- Veterans Homes and Mental Health Facilities

Sponsor: Walsh

This bill establishes the Safe Staffing and Quality Care Accountability Act for Veterans Homes and the Safe Staffing and Quality Care Accountability Act for Mental Health Facilities.

VETERANS HOMES

The bill:

- (1) Requires all veterans homes to adopt minimum staffing ratios to ensure client and worker safety;
- (2) Requires veterans homes to employ the direct care staff necessary to provide the active treatment as prescribed in a client's habilitation plan or individualized treatment plan;
- (3) Requires the Missouri Veterans Commission to adopt and maintain minimum staffing ratios for all veterans homes;
- (4) Specifies limits for the assigned duties of direct care staff and requires that minimum staffing ratios apply to staff with direct care responsibilities;
- (5) Prohibits mandatory overtime from counting toward the minimum staffing ratios;
- (6) Prohibits the direct care staff of the commission from being transferred to a general acute care hospital in the event that a client of a veterans home is hospitalized in an acute care facility;
- (7) Requires veterans homes to document and submit to the commission on a monthly basis specified staffing information per nursing unit, per shift, and day of the week;
- (8) Specifies the use of mandatory overtime for direct care staff;
- (9) Requires complaints of the staffing ratios to be filed on a form which will be distributed to veterans homes and the commission. The commission is required to investigate all complaints;
- (10) Specifies corrective measures instituted by the commission in the event that violations are found in a veterans home;
- (11) Provides whistle-blower protections for direct care staff

and a cause of action provision for staff who sustain a personal injury resulting from violations of the bill;

(12) Requires adequate direct care transport staff and drivers; and

(13) Exempts direct care staff from responsibility for adverse events resulting from violations of the bill. Management personnel of a veterans home will be held responsible for harm to clients resulting from insufficient staffing.

MENTAL HEALTH FACILITIES

The bill:

(1) Requires mental health facilities operated by the divisions of Comprehensive Psychiatric Services and Mental Retardation and Developmental Disabilities in the Department of Mental Health to adopt minimum staffing ratios to ensure client and worker safety. Facilities operated by the Division of Alcohol and Drug Abuse are excluded;

(2) Requires mental health facilities to employ the direct care staff necessary to provide the active treatment as prescribed in a client's habilitation plan or individualized treatment plan;

(3) Requires the department to adopt and maintain minimum staffing ratios for all department facilities;

(4) Specifies limits for the assigned duties of direct care staff and requires that minimum staffing ratios apply to staff with direct care responsibilities;

(5) Prohibits mandatory overtime from counting toward the minimum staffing ratios;

(6) Prohibits the direct care staff of the department from being transferred to a general acute care hospital in the event that a client of a mental health facility is hospitalized in an acute care hospital;

(7) Requires mental health facilities to document and submit to the department on a monthly basis specified staffing information per nursing unit, per shift, and day of the week;

(8) Specifies the use of mandatory overtime for direct care staff;

(9) Requires complaints of the staffing ratios to be filed on a form which will be distributed to facility supervisors and the

department. The department director is required to investigate all complaints;

(10) Specifies corrective measures instituted by the department in the event that violations are found in a mental health facility;

(11) Provides whistle-blower protections for direct care staff and a cause of action provision for staff who sustain a personal injury resulting from violations of the bill;

(12) Requires adequate direct care transport staff and drivers; and

(13) Exempts direct care staff from responsibility for adverse events resulting from violations of the bill. Management personnel of a mental health facility will be held responsible for harm to clients resulting from insufficient staffing.