

FIRST REGULAR SESSION

HOUSE BILL NO. 849

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), OXFORD, WILDBERGER, ATKINS, YAEGER,
WALSH, FRAME, NASHEED, SCHOEMEHL, MEINERS,
CURLS, HOLSMAN AND TALBOY (Co-sponsors).

0617L.01I

D. ADAM CRUMBLISS, Chief Clerk

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

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

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

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

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

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

13 **2. The information posted under this section shall be displayed in a manner that**
14 **is visible and accessible to all patients, their families, and caregivers in the hospital, as**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 determined by rule of the department of health and senior services and subject to the
16 applicable requirements of federal law.

17 3. A hospital shall report the information compiled under this section to the
18 department of health and senior services on a monthly basis, on a form and in a manner
19 prescribed by the department. The department shall make such information available to
20 the public on a quarterly basis, accompanied by a written explanation, which the
21 department shall prepare, to assist members of the public in interpreting the information
22 reported under this section.

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

25 5. The department of health and senior services shall promulgate rules to
26 implement the provisions of this section on the quality of patient care and nursing practices
27 established in section 197.291. Any rule or portion of a rule, as that term is defined in
28 section 536.010, RSMo, that is created under the authority delegated in this section shall
29 become effective only if it complies with and is subject to all of the provisions of chapter
30 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536,
31 RSMo, are nonseverable and if any of the powers vested with the general assembly
32 pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and
33 annul a rule are subsequently held unconstitutional, then the grant of rulemaking
34 authority and any rule proposed or adopted after August 28, 2009, shall be invalid and
35 void.

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