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FOR IMMEDIATE RELEASE

**LEGISLATION WOULD GIVE TEXAS NURSES EVEN STRONGER VOICE IN  
HOSPITAL STAFFING**

*Also Provides Additional Patient Advocacy Protections for Texas Nurses*

**AUSTIN, TEXAS, January 14, 2009** – Nurses who provide direct patient care in Texas hospitals will gain even more influence in setting appropriate nurse-to-patient staffing levels, thanks to 2009 legislation filed today.

The legislation, authored in the Senate by Sen. Jane Nelson (R-Flower Mound) and in the House by Rep. Donna Howard (D-Austin), and supported by the Texas Nurses Association (TNA) and the Texas Hospital Association (THA), will build upon existing nurse staffing regulations and strengthen the voice of Texas nurses on staffing matters in hospitals in several ways. The legislation, which reflects extensive negotiations between TNA and THA, adds a legal requirement for all hospital governing boards to adopt, implement and enforce a nurse staffing policy. Additionally:

- The role and status of the nurse staffing committee will be elevated by making it a standing committee that must report directly to the hospital board.

- The nurse staffing committee would continue to be comprised of at least 50 percent registered nurses who provide direct patient care. However, RN committee members would now be selected by their peer direct care nurses and represent their voices in the staffing plan as well.
- The nurse staffing committee would be responsible for selecting the nurse-sensitive outcome measures that would be used in evaluating the staffing plan.
- The committee would evaluate semiannually the effectiveness of the plan on patient outcomes, as well as any variances between it and actual staffing.
- Hospitals would also be required to report certain data about their nurse staffing plan to the Texas Department of State Health Services (TDSHS).

Nurse staffing committees allow nurses who are providing direct patient care to help determine appropriate staffing levels at each hospital in Texas, and for flexibility in care based on the unique needs of each patient, the specific expertise and experience of nurses on each shift, and the particular characteristics of each hospital.

“TNA knows that when direct care nurses are allowed to use their own professional judgment regarding the level of care their patients need, taking into account the variables that can impact care, then each patient benefits,” said Susan Sportsman, RN, Ph.D., President of the Texas Nurses Association. “That’s why TNA believes that nurse staffing committees are the best approach for determining the appropriate nurse staffing levels at hospitals – because direct care nurses are in the best position to make decisions that are best for their patients, at their hospitals.”

### **Texas a Trailblazer in Nurse Staffing Committees**

In 2002, Texas became the first state in the country to require each hospital in Texas to establish a nurse staffing committee. TNA and THA were key drivers of that precedent-setting regulation. Since then, the majority of other states addressing the issue of nurse staffing have followed Texas’ lead and adopted legislation creating nurse staffing committees at hospitals. States such as Ohio, Connecticut, Washington, Illinois, Oregon

and Rhode Island have recognized the value of collaborative staffing plans that enable nurses and hospitals to work together to meet the needs of patients.

“Nurses play a critical role in the delivery of health care in our state. Our goal with this legislation is to deliver the best possible care for hospital patients by ensuring a strong, supportive work environment for hospital nurses,” said Senator Nelson, chair of the Senate Health and Human Services Committee.

“Nurses are on the front lines and should play a critical role in determining staffing levels at their hospitals,” said Representative Howard, a former critical care nurse. “This bill makes it possible for local nurses and hospitals to work together to meet the diverse needs of communities across Texas.”

“This legislation builds on the collaboration between TNA and THA in developing nurse staffing rules,” said Elizabeth Sjoberg, RN, J.D., associate general counsel for THA.

“Building on this foundation, Senator Nelson and Representative Howard have empowered nurses to use proven strategies in developing staffing plans. The bill also gives nursing professionals more visibility to the hospital governing board, reflecting the high priority that hospitals place on nursing issues, particularly staffing. Supporting our nursing professionals in providing quality patient care is essential to their retention, which is a key component of addressing the state’s nursing shortage.”

### **Additional Measures Further Enhance Nurse Protections**

The nurse staffing legislation supported by TNA and THA also contains several other measures that will extend nurses’ patient advocacy protections. These include giving nurses who work for hospitals operated by governmental entities the same patient advocacy protections from retaliation as their colleagues who work in private hospitals. The legislation also includes a prohibition in hospitals on mandatory overtime except in emergency circumstances, such as a natural disaster.