

House Bill 801

By: Representatives Scott of the 76<sup>th</sup>, Thomas of the 56<sup>th</sup>, Davis of the 87<sup>th</sup>, Schofield of the 60<sup>th</sup>, and Hutchinson of the 107<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to  
2 regulation and construction of hospitals and other health care facilities, so as to limit the  
3 number of patients that may be assigned to a registered professional nurse in specified  
4 situations in hospitals; to provide for definitions; to provide that nothing shall preclude a  
5 hospital from assigning fewer patients to a registered professional nurse than the established  
6 limits; to require the adoption of written policies and procedures for the training and  
7 orientation of nursing staff by hospitals; to provide for sanctions; to provide for rules and  
8 regulations; to provide for related matters; to provide for a short title; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 This Act shall be known and may be cited as the "Safe Patient Limits Act."

13 style="text-align:center">**SECTION 2.**

14 Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation and  
15 construction of hospitals and other health care facilities, is amended in Article 2, relating to  
16 the Georgia Building Authority, by redesignating Code Section 31-7-23 as Code Section  
17 31-7-24 and by adding a new Code section to the end of Article 1, relating to regulation of  
18 hospitals and related institutions, to read as follows:

19 "31-7-23.

20 (a) As used in this Code section, the term:

21 (1) 'Couplet' means one mother and one baby.

22 (2) 'Critical trauma patient' means a patient who has an injury to an anatomic area that:

23 (A) Requires life-saving interventions; or

24 (B) In conjunction with unstable vital signs, poses an immediate threat to life or limb.

25 (3) 'Health care workforce' means personnel employed by or contracted to work at a  
26 hospital that have an effect upon the delivery of quality care to patients, including, but  
27 not limited to, registered professional nurses; licensed practical nurses; unlicensed  
28 assistive personnel; service, maintenance, clerical, professional, and technical personnel;  
29 and other health care personnel.

30 (4) 'Immediate postpartum patients' means those patients who have given birth within the  
31 previous two hours.

32 (5) 'Nursing care' means the practice of nursing, as defined in Code Section 43-26-3 by  
33 a registered professional nurse.

34 (6) 'Specialty care unit' means a unit of a hospital which is organized, operated, and  
35 maintained to provide care for a specific medical condition or a specific patient  
36 population.

37 (b) The maximum number of patients assigned to a registered professional nurse in a  
38 hospital shall not exceed the limits provided in subsection (c) of this Code section;  
39 provided, however, that nothing shall preclude a hospital from assigning fewer patients to  
40 a registered professional nurse than the limits provided in subsection (c) of this Code  
41 section.

42 (c)(1) In all units with critical care patients, the maximum patient assignment of critical  
43 care patients to a registered professional nurse is two.

44 (2) In all units with step-down or intermediate care patients, the maximum patient  
45 assignment of step-down or intermediate care patients to a registered professional nurse  
46 is three.

47 (3) In all units with postanesthesia care patients, the maximum patient assignment of  
48 postanesthesia care patients under the age of 18 to a registered professional nurse is one  
49 and the maximum patient assignment of postanesthesia care patients 18 years of age or  
50 older to a registered professional nurse is two.

51 (4) In all units with operating room patients, the maximum patient assignment of  
52 operating room patients to a registered professional nurse is one, provided that a  
53 minimum of one additional person serves as a scrub assistant for each patient.

54 (5) In the emergency department:

55 (A) In a unit providing basic emergency medical services or comprehensive emergency  
56 medical services, the maximum patient assignment at any time to a registered  
57 professional nurse is three;

58 (B) The maximum assignment of critical care emergency patients to a registered  
59 professional nurse is two. A patient in the emergency department shall be considered  
60 a critical care patient when the patient meets the criteria for admission to a critical care  
61 service area within the hospital; and

- 62 (C) The maximum assignment of critical trauma patients in an emergency unit to a  
63 registered professional nurse is one.
- 64 (6) In all units with maternal child care patients:
- 65 (A) The maximum patient assignment of antepartum patients requiring continuous fetal  
66 monitoring to a registered professional nurse is two;
- 67 (B) The maximum patient assignment of other antepartum patients to a registered  
68 professional nurse is three;
- 69 (C) The maximum patient assignment of active labor patients to a registered  
70 professional nurse is one;
- 71 (D) The maximum patient assignment during birth is one registered professional nurse  
72 responsible for the mother and, for each baby born, one registered professional nurse  
73 whose sole responsibility is that baby;
- 74 (E) The maximum patient assignment of immediate postpartum patients is one couplet  
75 to a registered professional nurse and in the case of multiple births, one registered  
76 professional nurse for each additional baby; and
- 77 (F) The maximum patient assignment of postpartum patients to a registered  
78 professional nurse is six patients or three couplets.
- 79 (7) In all units with pediatric patients, the maximum patient assignment of pediatric  
80 patients to a registered professional nurse is four.
- 81 (8) In all units with psychiatric patients, the maximum patient assignment of psychiatric  
82 patients to a registered professional nurse is four.
- 83 (9) In all units with medical and surgical patients, the maximum patient assignment of  
84 medical or surgical patients to a registered professional nurse is four.
- 85 (10) In all units with telemetry patients, the maximum patient assignment of telemetry  
86 patients to a registered professional nurse is three.
- 87 (11) In all units with observational patients, the maximum patient assignment of  
88 observational patients to a registered professional nurse is four.
- 89 (12) In all units with acute rehabilitation patients, the maximum patient assignment of  
90 acute rehabilitation patients to a registered professional nurse is three.
- 91 (13) In all specialty care units, the maximum patient assignment to a registered  
92 professional nurse is four.
- 93 (14) In any unit not otherwise listed in this subsection, the maximum patient assignment  
94 to a registered professional nurse is four.
- 95 (d) For purposes of this Code section, a patient is considered assigned to a registered  
96 professional nurse if the registered professional nurse accepts responsibility for the patient's  
97 nursing care.

- 98 (e) A hospital shall implement the patient limits established by this Code section without  
99 diminishing the staffing levels of the hospital's health care workforce.
- 100 (f) All hospitals shall adopt written policies and procedures for the training and orientation  
101 of nursing staff. No registered professional nurse shall be assigned to a nursing unit or  
102 clinical area unless such nurse has first received training and orientation in that clinical area  
103 sufficient to provide competent care to patients in such area and has demonstrated  
104 competence in providing care in such area. The written policies and procedures for such  
105 training and orientation of nursing staff shall require that all temporary personnel receive  
106 the same amount and type of training and orientation as is required for permanent staff.
- 107 (g) A hospital that fails to adhere to the limits contained in this Code section shall be liable  
108 for a penalty of up to \$25,000.00 for each day during which such violation continues and  
109 shall be subject to appropriate sanctions otherwise authorized by law, including, but not  
110 limited to, suspension or revocation of such hospital's permit or license.
- 111 (h) The department shall adopt rules and regulations governing the implementation and  
112 operation of this Code section."

113

**SECTION 3.**

114 All laws and parts of laws in conflict with this Act are repealed.