

# House Bill 3117

Sponsored by Representative MANNIX

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies membership of Nurse Staffing Advisory Board.

## A BILL FOR AN ACT

1  
2 Relating to Nurse Staffing Advisory Board; amending ORS 441.152.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 441.152 is amended to read:

5 441.152. (1)(a) The Nurse Staffing Advisory Board is established within the Oregon Health Au-  
6 thority, consisting of 12 members appointed by the Governor.

7 (b) Of the 12 members of the board:

8 (A) Six must be hospital nurse managers;

9 (B) *[Five]* **Four** must be direct care registered nurses who work in hospitals; *[and]*

10 (C) One must be *[either a direct care registered nurse]* **a licensed practical nurse** who works in  
11 a hospital; *[or]* **and**

12 **(D) One must be a certified nursing assistant who is** a direct care staff member **of a hos-**  
13 **pital**, who is not a registered nurse and whose services are covered by a written hospital-wide  
14 staffing plan that meets the requirements of ORS 441.155.

15 (c) To the extent practicable, board members shall be appointed to ensure that the board is re-  
16 presented by members from hospitals where direct care staff are represented under a collective  
17 bargaining agreement and hospitals where direct care staff are not represented by a collective bar-  
18 gaining agreement and by hospitals of different sizes, types and geographic location.

19 (d) The term of office of each board member is three years, but a member serves at the pleasure  
20 of the Governor. Before the expiration of the term of a member, the Governor shall appoint a suc-  
21 cesssor whose term begins January 1 next following. A member is eligible for reappointment, but may  
22 not serve more than two consecutive terms. If there is a vacancy for any cause, the Governor shall  
23 make an appointment to become immediately effective for the unexpired term.

24 (2) The board shall:

25 (a) Provide advice to the authority on the administration of ORS 441.152 to 441.177;

26 (b) Identify trends, opportunities and concerns related to nurse staffing;

27 (c) Make recommendations to the authority on the basis of those trends, opportunities and con-  
28 cerns; and

29 (d) Review the authority's enforcement powers and processes under ORS 441.157, 441.171 and  
30 441.177.

31 (3)(a) Upon request, the authority shall provide the board with written hospital-wide staffing  
32 plans implemented under ORS 441.155, reviews conducted under ORS 441.156, information obtained

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.  
New sections are in **boldfaced** type.

1 during an audit under ORS 441.157 and complaints filed and investigations conducted as described  
2 in ORS 441.171.

3 (b) The authority may not provide the board with any information under paragraph (a) of this  
4 subsection that is identifiable with a specific hospital unless the information is publicly available.

5 (c) Hospital-wide staffing plans provided to the board under this section are confidential and not  
6 subject to public disclosure.

7 (4) A majority of the members of the board constitutes a quorum for the transaction of business.

8 (5) The board shall have two cochairs selected by the Governor. One cochair shall be a hospital  
9 nurse manager and one cochair shall be a direct care registered nurse.

10 (6) Official action by the board requires the approval of a majority of the members of the board.

11 (7) The board shall meet:

12 (a) At least once every three months; and

13 (b) At any time and place specified by the call of both cochairs.

14 (8) The board may adopt rules necessary for the operation of the board.

15 (9) The board shall submit a report on the administration of ORS 441.152 to 441.177 in the  
16 manner provided in ORS 192.245 to an interim committee of the Legislative Assembly related to  
17 health no later than September 15 of each year. The board may include in its report recommen-  
18 dations for legislation.

19 (10) Members of the board are not entitled to compensation, but may be reimbursed for actual  
20 and necessary travel and other expenses incurred by them in the performance of their official duties  
21 in the manner and amounts provided for in ORS 292.495. Claims for expenses shall be paid out of  
22 funds appropriated to the authority for purposes of the board.

23