

SB0411/353621/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 411
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “to” insert “comply with certain staffing standards, to”; in line 5, after “committee” insert a comma; in the same line, after “plan;” insert “requiring the chief nursing executive of each hospital to produce a draft clinical staffing plan and submit it to the clinical staffing committee of the hospital;”; and in line 6, strike “develop” and substitute “finalize”.

AMENDMENT NO. 2

On page 2, strike beginning with “(1)” in line 1 down through “(C)” in line 9; in line 10, strike “SUBSECTION (C) OF THIS SECTION” and substitute “§ 19-394(C) OF THIS SUBTITLE”; in line 11, strike “(D)” and substitute “(C)”; in line 12, strike “SUBSECTION (D) OF THIS SECTION” and substitute “§ 19-394(D) OF THIS SUBTITLE”; in line 15, after “(B)” insert “(1) EACH HOSPITAL LICENSED UNDER THIS TITLE SHALL COMPLY WITH THE STAFFING STANDARDS OF:

(I) THE ACCREDITATION BODY THAT ACCREDITS THE HOSPITAL; AND

(II) THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID SERVICES CONDITIONS OF PARTICIPATION.

(2) A CLINICAL STAFFING PLAN DEVELOPED UNDER THIS PART SHALL COMPLY WITH THIS SUBSECTION.

(C);

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in lines 16 and 17, strike “HAS EQUAL MEMBERSHIP FROM MANAGEMENT AND EMPLOYEES” and substitute “:

(I) IF THE HOSPITAL HAS 150 OR FEWER LICENSED BEDS, HAS 3 MANAGERS AND 2 EMPLOYEES; OR

(II) IF THE HOSPITAL HAS 151 OR MORE LICENSED BEDS, HAS 5 MANAGERS AND 4 EMPLOYEES”;

in line 19, strike “SHALL” and substitute “MAY”; in the same line, strike “AT LEAST ONE OF THE FOLLOWING INDIVIDUALS”; in line 22, strike “AN EMERGENCY ROOM” and substitute “A LICENSED”; in line 24, before “RESIDENT” insert “MEDICAL”; and in line 27, strike “AND”.

On page 3, in line 1, after “TECHNICIAN” insert “;OR

(VIII) AN EMPLOYEE WHOSE DUTIES INCLUDE PATIENT ADVOCACY”;

strike in their entirety lines 2 and 3; in line 4, strike “(C)” and substitute “**(D) (1) THE CHIEF NURSE EXECUTIVE OF EACH HOSPITAL SHALL PRODUCE A DRAFT CLINICAL STAFFING PLAN AND SUBMIT IT TO THE CLINICAL STAFFING COMMITTEE OF THE HOSPITAL.**

(2)”;

in the same line, strike “DEVELOP” and substitute “FINALIZE”; in line 5, after “NEEDS” insert “USING THE PLAN SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION”; in line 6, strike “(D)” and substitute “(E)”; in the same line, strike

“DEVELOPING” and substitute “FINALIZING”; in line 11, strike “AND”; and in line 12, after “PLAN” insert “;

(6) APPROPRIATE SKILL MIX AND COMPETENCY OF STAFF;

(7) STANDARDS REQUIRED BY:

(I) THE CENTERS FOR MEDICARE AND MEDICAID SERVICES CONDITIONS OF PARTICIPATION; AND

(II) THE ACCREDITATION BODY THAT ACCREDITS THE HOSPITAL;

(8) THE AVERAGE NUMBER OF PATIENTS OF THE HOSPITAL DURING THE IMMEDIATELY PRECEDING YEAR AND RELEVANT INFORMATION REGARDING PATIENT DISCHARGES, POTENTIAL ADMISSIONS, AND TRANSFERS;

(9) THE AVERAGE LEVEL OF ACUITY FOR PATIENTS OF THE HOSPITAL DURING THE IMMEDIATELY PRECEDING YEAR AND THE CORRESPONDING LEVEL OF NURSING CARE REQUIRED; AND

(10) AN ESTIMATE OF THE APPROPRIATE COMBINATION OF SKILL, EXPERIENCE LEVEL, AND SPECIALTY CERTIFICATION OR TRAINING OF STAFF THAT IS REQUIRED TO ADEQUATELY PROVIDE CARE TO PATIENTS OF THE HOSPITAL”.

On pages 3 and 4, strike in their entirety the lines beginning with line 13 on page 3 through line 3 on page 4, inclusive.

(Over)

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On page 4, in line 5, strike “(A)”; in the same line, strike “JANUARY” and substitute “JULY”; in line 7, strike “ADOPTED” and substitute “FINALIZED”; strike in their entirety lines 11 through 18, inclusive; strike beginning with “(A)” in line 20 down through the second “EACH” in line 21 and substitute “EACH”; strike beginning with the colon in line 21 down through “UNIT” in line 26 and substitute “PROVIDE THE CLINICAL STAFFING PLAN TO STAFF ON REQUEST”; and strike in their entirety lines 27 through 30, inclusive.

On page 5, strike in their entirety lines 1 through 11, inclusive, and substitute:

“THIS PART MAY NOT BE CONSTRUED TO REQUIRE A HOSPITAL TO TAKE ACTIONS THAT ARE INCONSISTENT WITH THE CENTERS FOR MEDICARE AND MEDICAID SERVICES CONDITIONS OF PARTICIPATION OR THE ACCREDITATION STANDARDS OF THE ACCREDITATION BODY THAT ACCREDITS THE HOSPITAL.”;

in line 14, strike “January” and substitute “July”; in lines 15 and 16, strike “clinical staffing committee” and substitute “hospital”; in line 16, strike “develop” and substitute “implement”; and in line 17, strike “2027” and substitute “2028”.