

# SENATE BILL 411

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By: **Senators Augustine, Hettleman, Kramer, and McCray**

Introduced and read first time: January 29, 2026

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Clinical Staffing Committees and Plans – Establishment**  
3 **(Safe Staffing Act of 2026)**

4 FOR the purpose of requiring certain hospitals licensed in the State to establish and  
5 maintain a clinical staffing committee and to implement a clinical staffing plan;  
6 requiring each clinical staffing committee to develop a clinical staffing plan; and  
7 generally relating to hospitals and clinical staffing committees and plans.

8 BY adding to

9 Article – Health – General

10 Section 19–393 through 19–397 to be under the new part “Part XIII. Clinical Staffing  
11 Committees and Plans”

12 Annotated Code of Maryland

13 (2023 Replacement Volume and 2025 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **19–391. RESERVED.**

18 **19–392. RESERVED.**

19 **PART XIII. CLINICAL STAFFING COMMITTEES AND PLANS.**

20 **19–393.**

21 **(A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS**  
22 **INDICATED.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1       **(B) (1)** “ANCILLARY MEMBER OF THE FRONTLINE TEAM” MEANS AN  
2 INDIVIDUAL WHOSE PRIMARY DUTIES INCLUDE SUPPORTING INDIVIDUALS WHO  
3 PROVIDE DIRECT PATIENT CARE.

4       **(2)** “ANCILLARY MEMBER OF THE FRONTLINE TEAM” INCLUDES:

5               **(I)** A DIETARY WORKER;

6               **(II)** A PATIENT CARE TECHNICIAN; AND

7               **(III)** ANY OTHER NONLICENSED STAFF ASSISTING WITH PATIENT  
8 CARE.

9       **(C)** “CLINICAL STAFFING COMMITTEE” MEANS A COMMITTEE ESTABLISHED  
10 BY A HOSPITAL IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION.

11       **(D)** “CLINICAL STAFFING PLAN” MEANS A PLAN DEVELOPED UNDER  
12 SUBSECTION (D) OF THIS SECTION.

13 **19-394.**

14       **(A)** THIS PART DOES NOT APPLY TO STATE HOSPITALS.

15       **(B) (1)** EACH HOSPITAL LICENSED UNDER THIS TITLE SHALL ESTABLISH  
16 AND MAINTAIN A CLINICAL STAFFING COMMITTEE THAT HAS EQUAL MEMBERSHIP  
17 FROM MANAGEMENT AND EMPLOYEES.

18       **(2)** EACH CLINICAL STAFFING COMMITTEE ESTABLISHED UNDER  
19 THIS PART SHALL INCLUDE AT LEAST ONE OF THE FOLLOWING INDIVIDUALS:

20               **(I)** A CERTIFIED NURSING ASSISTANT;

21               **(II)** A DIETARY AIDE;

22               **(III)** AN EMERGENCY ROOM NURSE;

23               **(IV)** AN ENVIRONMENTAL SERVICE WORKER;

24               **(V)** A RESIDENT, IF THE COMMITTEE IS IN A TEACHING  
25 HOSPITAL;

26               **(VI)** A STAFF PHYSICIAN WHO IS NOT A HOSPITAL EMPLOYEE OR  
27 ADMINISTRATOR; AND

## (VII) A TECHNICIAN.

(3) A CLINICAL STAFFING COMMITTEE ESTABLISHED UNDER  
PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE A PATIENT ADVOCATE.

4 (C) EACH CLINICAL STAFFING COMMITTEE SHALL DEVELOP A CLINICAL  
5 STAFFING PLAN THAT MEETS PATIENT NEEDS.

6 (D) WHEN DEVELOPING A CLINICAL STAFFING PLAN, THE CLINICAL  
7 STAFFING COMMITTEE SHALL CONSIDER:

8 (1) EXISTING STAFFING LEVELS;

**9 (2) METHODS TO SECURE COVERAGE NEEDS AS NECESSARY;**

**(3) EXISTING GAPS IN STAFFING AND HOW TO ADDRESS THE GAPS;**

**(4) ANY AVAILABLE EVIDENCE-BASED STAFFING STANDARDS; AND**

**(5) A SCHEDULE FOR PERIODIC REVIEW OF THE STAFFING PLAN.**

22 (F) IN DEVELOPING THE CLINICAL STAFFING PLAN, THE CLINICAL  
23 STAFFING COMMITTEE SHALL CONSIDER:

4 19-395.

11 (B) A REGISTERED NURSE, A LICENSED PRACTICAL NURSE, AN ANCILLARY  
12 MEMBER OF THE FRONTLINE TEAM, OR AN APPLICABLE EXCLUSIVE  
13 REPRESENTATIVE MAY SUBMIT A COMPLAINT TO THE CLINICAL STAFFING  
14 COMMITTEE REGARDING ANY VARIATION WHERE PERSONNEL ASSIGNMENT IN A  
15 PATIENT CARE UNIT IS NOT IN ACCORDANCE WITH THE ADOPTED CLINICAL  
16 STAFFING PLAN.

17 (C) THE CLINICAL STAFFING COMMITTEE SHALL DETERMINE, BY A  
18 MAJORITY VOTE, WHETHER A COMPLAINT HAS BEEN ADEQUATELY RESOLVED.

19 19-396.

20 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON OR BEFORE  
21 JANUARY 1 EACH YEAR, EACH HOSPITAL SHALL:

25 (2) ENSURE THAT A COPY OF THE CLINICAL STAFFING PLAN IS  
26 AVAILABLE, ON REQUEST, ON EACH PATIENT UNIT.

27       (B) IF A CLINICAL STAFFING PLAN FOR A UNIT IS AMENDED AFTER IT IS  
28 IMPLEMENTED, THE HOSPITAL SHALL POST OR PROVIDE THE AMENDED CLINICAL  
29 STAFFING PLAN FOR THE UNIT IN THE MANNER REQUIRED UNDER SUBSECTION (A)  
30 OF THIS SECTION IN A TIMELY MANNER.

31 19-397

1       **(A) ON OR BEFORE JULY 1 EACH YEAR, BEGINNING IN 2030, EACH**  
2       **HOSPITAL LICENSED UNDER THIS TITLE SHALL SUBMIT A REPORT TO THE**  
3       **MARYLAND HEALTH CARE COMMISSION SUMMARIZING HOW THE HOSPITAL'S**  
4       **CLINICAL STAFFING COMMITTEE HAS ADDRESSED SAFE HOSPITAL STAFFING**  
5       **THROUGH THE HOSPITAL'S CLINICAL STAFFING PLAN DURING THE IMMEDIATELY**  
6       **PRECEDING YEAR.**

7       **(B) THE MARYLAND HEALTH CARE COMMISSION SHALL:**

8           **(1) COMPILE THE REPORTS SUBMITTED UNDER SUBSECTION (A) OF**  
9       **THIS SECTION; AND**

10           **(2) MAKE THE COMPILED REPORT PUBLICLY AVAILABLE BY**  
11       **PUBLISHING THE COMPILATION ON THE MAIN PAGE OF ITS WEBSITE.**

12        SECTION 2. AND BE IT FURTHER ENACTED, That each hospital shall establish  
13       a clinical staffing committee as required under § 19-394 of the Health – General Article,  
14       as enacted by Section 1 of this Act, on or before January 1, 2027.

15        SECTION 3. AND BE IT FURTHER ENACTED, That each clinical staffing  
16       committee shall develop a clinical staffing plan as required under § 19-394 of the  
17       Health – General Article, as enacted by Section 1 of this Act, on or before July 1, 2027.

18        SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19       October 1, 2026.