

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

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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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~~

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1 (VII) A STAFF REGISTERED NURSE WHO IS NOT AN EMERGENCY ROOM NURSE; AND

(VIII) A TECHNICIAN.

2 (3) A CLINICAL STAFFING COMMITTEE ESTABLISHED UNDER
3 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;

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

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

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

13 (E) ON OR BEFORE JULY 1 EACH YEAR, EACH HOSPITAL, THROUGH THE
14 CLINICAL STAFFING COMMITTEE, SHALL CONDUCT A REVIEW OF THE CLINICAL
15 STAFFING PLAN TO:

16 (1) EVALUATE THE EFFECTIVENESS OF THE CLINICAL STAFFING
17 PLAN DURING THE IMMEDIATELY PRECEDING YEAR;

18 (2) UPDATE THE CLINICAL STAFFING PLAN TO ENSURE THAT THE
19 CLINICAL STAFFING PLAN CONTINUES TO BE APPROPRIATE AND EFFECTIVE; AND

20 (3) DEVELOP A PROCESS FOR RECEIVING, RESOLVING, AND
21 TRACKING COMPLAINTS RELATED TO THE CLINICAL STAFFING PLAN.

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

24 (1) THE AVERAGE NUMBER OF PATIENTS ON EACH UNIT ON EACH
25 SHIFT DURING THE IMMEDIATELY PRECEDING YEAR AND RELEVANT INFORMATION
26 REGARDING PATIENT DISCHARGES, POTENTIAL ADMISSIONS, AND TRANSFERS;

27 (2) THE AVERAGE LEVEL OF ACUITY FOR PATIENTS ON EACH UNIT ON
28 EACH SHIFT DURING THE IMMEDIATELY PRECEDING YEAR AND THE
29 CORRESPONDING LEVEL OF NURSING CARE REQUIRED; AND

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1 (3) AN ESTIMATE OF THE APPROPRIATE COMBINATION OF SKILL,
2 EXPERIENCE LEVEL, AND SPECIALTY CERTIFICATION OR TRAINING OF STAFF FOR
3 EACH UNIT ON EACH SHIFT THAT IS REQUIRED TO ADEQUATELY PROVIDE CARE.

4 19-395.

5 (A) ON OR BEFORE JANUARY 1 EACH YEAR, BEGINNING IN 2028, EACH
6 HOSPITAL SHALL:

7 (1) IMPLEMENT THE CLINICAL STAFFING PLAN ADOPTED UNDER §
8 19-394 OF THIS SUBTITLE; AND

9 (2) ASSIGN PERSONNEL TO EACH PATIENT CARE UNIT IN
10 ACCORDANCE WITH THE CLINICAL STAFFING PLAN.

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:

22 (1) POST IN A PUBLICLY ACCESSIBLE AND CONSPICUOUS AREA ON
23 EACH PATIENT UNIT THE CLINICAL STAFFING PLAN FOR THE UNIT AND THE ACTUAL
24 DAILY STAFFING FOR EACH SHIFT ON THE UNIT; AND

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.

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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.