

Texas Nurse Staffing Bill

On September 1, 2009, the governor of Texas signed into law a nurse staffing bill that is similar to other states' laws. It requires hospitals to create and implement a written nurse staffing policy, by a committee involving nurses. The Texas bill does not specify mandatory ratios (e.g. how many patients to each nurse in different types of care); instead, it allows the hospital to set these numbers based on patient needs by unit and shift, and skill mix of available nurses. The law includes whistleblower protections and prohibits mandatory overtime.

With the Texas legislation, the number of states that have enacted legislation or adopted regulations regarding nurse staffing has grown to 12 (CA, CT, IL, ME, NV, OH, OR, RI, TX, VT, WA, District of Columbia). States take different approaches to achieve safe nurse staffing. Some spell out the mandatory nurse-to-patient ratios in the legislation, some like Texas mandate hospital committees and staffing plans; others require public disclosure of nurse staffing at the hospital.

There are still at least 3 federal bills in the House and Senate that address nurse staffing, but no action has taken place yet this Congress on any of these bills. Research shows that the patient death rate declines by almost 2% for every additional nurse hour per patient. An informal poll by the ANA recently found that 73% of respondents said staffing on their units was unsafe. It is unlikely that every state will address nurse staffing in a meaningful way, so federal legislation will be needed to close the gap.