

SB 362 Guidelines



Compliance

- The staffing plans for each hospital & the staffing committee policies need to be available to the Health Division.
- If a hospital is determined out of compliance, the Health Division can levy administrative penalties.
- If the staff believes their staffing concerns are not being addressed hospital protocols must provide a process for responding to the complaints.
- Documentation of the Staffing Committee activities need to be submitted to the Health Division annually.
- During the hospitals annual licensing or as part of a complaint investigation the Health Division will verify compliance.



FAQ'S

- The Staffing Committee must include 50% of its members from licensed nursing staff and certified nursing assistants who provide bedside care.
- A written staffing plan
- Policies that identify a process for registered nurses & certified nursing assistants who object to a work assignment & refuse a work assignment
- Policies that identify a process for registered nurses & certified nursing assistants if manager/supervisor denies the request.



Examples of Best Practice Related to SB362

- Utilize in-house registry's to schedule staff when needed, rather than utilizing agency staff
- If there is difficulty in getting participation, set up teleconferencing capabilities
- Pay for staff to attend on their day off
- Provide food
- Provide staff with the opportunity to make the agenda
- Staff runs the meeting with administration there to support it
- In situations where there is a vote needed to determine direction, only bedside staff vote would count
- Provide Continuing Education Units at the meeting.
- Designate members of the committee to performing exit interviews with those that leave the organization. This would be taken back to the Staffing Committee for discussion.
- Get commitment from staff that express their desire to serve on the Staffing Committee by educating them on the process and committing for 1 year increments
- Utilize the buddy system to share the responsibility of attending the Staffing Committee in the event one of the two members is unable to attend.
- Provide an opportunity to share with staff at staff meetings or town hall meetings, the topics that were covered at the last Staffing Committee, including resolutions to issues that came up.
- Be transparent by placing the Assignment Despite Objections (ADO) on a shared drive
- Encourage staff to complete ADOs at the start of a shift to provide better opportunity for quicker resolution.
- Send a formal letter to those that file an ADO, Refusal of Assignment, to acknowledge its receipt and that you are working towards resolution/solution, or if a resolution has been reached, discuss it in the letter.
- Partner with your bargaining units to work on these issues together
- CNOs sit in on staff meetings to observe the interaction
- Address lateral violence; disruptive behavior to improve staffing
- Assign ADO teams for input on support to improve staffing such as utilizing sitters, sharing of concerns and solutions
- Daily update to all in staffing shift change
- Look at history of what is being said. Are there trends, such as, "We are always under staffed."
- Utilize bottom up engagement
- Tie in your quality indicators to staffing
- Have nursing leaders round and document with other staff
- Utilize a Code Green for resources



Sample Documents

STAFFING OCCURRENCE REPORT				
Dept/ Unit:		Incident Date:		Incident Time:
Concern Type: Lack of Competency <input type="checkbox"/> Lack of Training <input type="checkbox"/> Acuity <input type="checkbox"/> Staffing <input type="checkbox"/> Other(describe)				
Reason for objection/refusal:				
Submitted by(printed name): Title:				
Nurse Leader Printed Name:		Signature:		Date: Time:
Immediate Nurse Leader Follow up:				
MANAGER AND DIRECTOR – COMPLETE THE FOLLOWING SECTION				
Unit Census:	DC:	Admits:	Staffing:	Sick:
Manager/Director Action/Follow up:				
Manager Printed Name: Signature: Date:			Director Printed Name: Signature: Date:	
Received by Risk Management (date):			Reported to Shared Governance/ Staffing Committee (date):	



Purpose:

The work assignment policy is written to comply with Nevada Revised Statutes.

Policy:

The work assignment policy outlines the process for a licensed nurse or a certified nursing assistant to refuse a work assignment based on his/her lack of knowledge, skill, or expertise to comply with the assignment to provide nursing services.

Procedure:

- A. Procedure for refusal to an assignment based on competency.
 1. Complete a Staffing Occurrence Report before the shift begins (see attachment).
 2. The Staffing Occurrence Report is to be given to the nurse leader who will attempt to resolve the occurrence.
 3. The nurse leader will document immediate actions taken on the occurrence report.
 4. If unable to resolve, the nurse leader will utilize the chain of command for assistance.
 5. If the nurse leader is unable to resolve the situation, the employee may clock out for the remainder of the shift.
 6. The nurse leader will meet with the employee to develop a plan to remedy the competency staffing deficiency.
 7. Completed Staffing Occurrence Report, forward to Risk Management.
- B. Risk Management will send all staffing occurrences to the Executive Council of Shared Governance/ Staffing Committee for review. The Staffing Committee includes staff members from the executive council of Shared Governance and representatives of administration in accordance with Nevada Revised Statutes.
- C. The Executive Council of Shared Governance/ Staffing Committee reviews all staffing occurrences within 45 days. A report is given to Shared Governance following the committee meetings.
- D. Records of staffing occurrence reports and the resolutions are maintained by the Quality department for a minimum of 2 years.
- E. The Executive Council of Shared Governance/ Staffing Committee will provide a response to the licensed nurse / certified nurse assistant regarding the explanation of how the council addressed the issue.



Purpose:

The objection to work assignment policy is written to comply with Nevada Revised Statutes.

Policy:

The objection to work assignment policy outlines the process for a licensed nurse or a certified nursing assistant to object to a work assignment.

Procedure:

- A. Procedure for objection to an assignment.
 1. Complete a Staffing Occurrence Report before the shift ending (see attachment).
 2. The Staffing Occurrence Report is to be given to the nurse leader who will attempt to resolve the occurrence.
 3. The nurse leader will document immediate actions taken on the occurrence report.
 4. If unable to resolve, the nurse leader will utilize the chain of command for assistance.
 5. Completed Staffing Occurrence Report forward to Risk Management.
 6. If the nurse leaders are unable to resolve the situation, the employee will accept the work assignment with a written objection.
- B. Risk Management will submit staffing occurrences to the Executive Council of Shared Governance/ Staffing Committee for review. This Staffing Committee includes staff members from the Executive Council of Shared Governance and representatives of administration in accordance with Nevada Revised Statutes.
- C. The Executive Council of Shared Governance/ Staffing Committee reviews all staffing occurrences within 45 days. A report is given to Shared Governance/ Staffing Committee following the committee meetings.
- D. Records of staffing occurrence reports and the resolutions are maintained by the Quality department for a minimum of 2 years.
- E. The Executive Council of Shared Governance/ Staffing Committee will provide a response to the licensed nurse / certified nurse assistant regarding the explanation of how the council addressed the issue.



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