

Survey & Certification Unit

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Oregon Nurse Staffing Advisory Board (NSAB)

Wednesday, April 29, 2020

2:00 PM – 3:00 PM

Meeting Minutes

Cochairs	Jennifer Burrows, RN, BN, BSc, MBA (presiding); Susan King, MS, RN, CEN, FAAN
Members present	Rob Campbell, CP, ADN, RN; Zennia Ceniza, RN, MA, CCRN, ACNP-BC, NE-BC; Uzo Izunagbara, RN; Debbie Robinson, RN, MSN; Kelsey Betts, RN; Carolyn Starnes, ASN, RN; Jenni Word, RN; Rick Rhoton, MHA, RN, BSN; Barbara Merrifield, MSN, RN
Members absent	
PHD staff present	Dana Selover, MD, MPH; Anna Davis, JD; Matt Gilman, MPPA; Kimberly Voelker, MPH
Guests present	Amber McGurr, Barbara Hansen, Kristin Beck, Beth Underwood, Emily Ausback, Heidi White, James Reedy, James, Casey Palmer, Kerry Kilgore, Lori Marquam, Linda Johns, Kelly Mohan, Orna Carlen, Pamela Scott, Rachelle Lyons Schatz, Robert White, Tammy Dolan, Teesa, Vanessa Copeland, Virginia Smith, Matt Calzeas, ONA, Patti Bolthouse, Aisha Krebs, Mary Jo, Julia Floyd, Cecile Mukandekwem OYA

Agenda Item 1	<i>Call to Order</i>
The meeting was conducted as an online webinar with dial-in for audio. The meeting was called to order and all members confirmed their presence on the phone via roll call. All other individuals on the phone identified themselves.	

Agenda Item 2	<i>Membership updates</i>
Board co-chair inquired about NSAB membership updates.	M. Gilman introduced the board's two new nurse manager members: Rick Rhoton from Samaritan North Lincoln Hospital, and Barbara Merrifield from Salem Hospital. He also introduced the board's new direct care member, Kelsey Betts from Columbia Memorial Hospital.
M. Gilman stated that he and A. Davis had an NSAB orientation call with R. Rhoton and K. Betts, and that OHA would schedule an orientation call with B. Merrifield.	

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M. Gilman thanked Virginia Smith, whose term recently expired, for her work on the board.

Board co-chair thanked V. Smith for her contributions to the board.

D. Selover expressed appreciation for V. Smith's work on the board and mentioned that her position has now been filled by K. Betts.

M. Gilman mentioned that there are still vacancies on the board for a nurse manager, direct care registered nurse (RN), and direct care non-RN.

M. Gilman introduced OHA's new Nurse Staffing Policy Analyst, K. Voelker.

Action Item(s)	<ul style="list-style-type: none">• OHA to send updated board book to members• Co-chairs meet with new board members• OHA meet with B. Merrifield for NSAB orientation
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Agenda Item 3	<i>Updates and discussion of how COVID-19 is impacting nurse staffing</i>
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Board co-chair requested updates from OHA on updates for how COVID-19 is impacting nurse staffing.

Nurse Staffing Plans

A. Davis shared what the nurse staffing laws state about emergency situations. She stated that in a declared state of emergency, a facility can implement its disaster plan that allows facilities to suspend some mandatory overtime rules. A. Davis stated that since there is a national and state-level state of emergency declared, facilities can implement their disaster plans. A. Davis explained that there is guidance on this in the Hospital Nurse Staffing Interpretive Guidance, available on the OHA's Nurse Staffing website.

A. Davis also shared that the Oregon Administrative Rules allow facilities to suspend their Nurse Staffing Plans when a facility implements their disaster plan. She explained that the rules allow either of the Co-Chairs to call a meeting that revises the Nurse Staffing Plan for the duration of the disaster and its aftermath.

A. Davis mentioned that staffing committees may create plans for both low-census and surge situations. She also stated Co-Chairs can call a meeting at any time if they need to revise their plan under the regular plan review rule.

§1135 Waivers

A. Davis explained that the §1135 waivers through the Centers for Medicare & Medicaid became available when the president declared a national emergency in concurrence with the Health & Human Services Secretary's public health emergency declaration.

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A. Davis discussed the types of waivers available to facilities and explained that the waivers are meant to allow providers to prioritize caring for patients over completing paperwork. She mentioned that the types of waivers available are those related to facilities and licensing, workforce, CMS Conditions of Participation, and fiscal waivers.

D. Selover thanked A. Davis for the presentation and stated that the §1135 waiver information is also available on the Health Facility Licensing & Certification website in the hospital section.

D. Selover encouraged members to type questions in the webinar chat box for the upcoming question and answer session.

2020 Nurse Staffing Survey Cycle

D. Selover explained that there were additional resources for nurse staffing proposed in the previous legislative session; however, since there was not a quorum present at the conclusion of the 2020 legislative session, this was not voted on and the program would have no additional resources.

D. Selover stated that in March 2020, OHA decided to postpone the nurse staffing surveys due to the COVID-19 pandemic. Factors that influenced this decision included anticipating hospital surges, lack of PPE and health risks for surveyors, an effort to align with federal survey prioritization in light of the pandemic, and emergency declarations. D. Selover stated that OHA would need to modify its plan for 2020 priorities and requested the board's input.

D. Selover explained that some options include resuming surveys in Summer 2020, provided that conditions allow for safe surveys; redesigning the survey further; pausing the surveys for 2020 and focusing on complaint investigations; pausing the surveys and completing a redesign of the survey and Oregon Administrative Rules, to start Cycle 2 in 2021.

Board co-chair welcomed comments from other members and expressed concern for when OHA may be able to complete a full nurse staffing survey. Board co-chair shared interest in considering a modified survey. Board co-chair asked S. King to comment on what her expectations were for the duration of hospitals' changed standard of care.

S. King stated that reopening of elective procedures over the next few days would affect patient census levels at Oregon hospitals. She agreed with J. Burrows that the next few months would likely still be a period of uncertainty, which she believed provided an opportunity to review how hospitals adjusted to the COVID-19 pandemic.

D. Selover thanked both board co-chairs for their input and mentioned that they have questions submitted in the chat available when the board was ready.

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Board co-chair encouraged D. Selover to read the questions posted on the Webinar chat.

Board member asked if not following the Nurse Staffing Plan during a state of emergency without calling a nurse staffing committee meeting was allowed, for example, if the hospital had a lower census than what was planned for.

A. Davis explained that if a facility has implemented its facility disaster plan, the facility is allowed to suspend the Nurse Staffing Plan or components of it, including acuity measures. A. Davis added that either co-chair can then call a meeting to discuss the long-term plan for managing the emergency, including raising or lowering staffing numbers.

Board member commented that he is supportive of pausing the surveys during Summer 2020 since there may be a patient surge in Fall 2020, which would interrupt the rest of the survey year.

Board member echoed these comments and said that OHA and the board should be prepared for the increase in hospital patient census for Fall 2020.

A. Davis explained that at the federal level, CMS has limited the types of surveys that can be conducted and has advised surveyors not to complete surveys without appropriate PPE.

D. Selover added that accrediting organizations like the Joint Commission have also mostly suspended facility surveys. She stated that OHA is suspending surveys to allow facilities to focus on the current COVID pandemic.

Board member asked about the feasibility of a COVID-19 committee and stressed the importance of having up-to-date information during the pandemic.

D. Selover thanked the board member for his comments on the committee and proposed addressing that comment later in the meeting.

Board member stated that she believed it would be useful to gather information about how hospitals approached the pandemic and the tools they designed to adapt to it.

Committees

Board co-chair inquired about updates on committees.

D. Selover stated that the Acuity Committee was in the process of finalizing the Nurse Staffing Advisory Board's recommendations for interpretive guidance to OHA. She also stated that the meeting was cancelled due to COVID and needed to be rescheduled.

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M. Gilman added that the goal for the next meeting was to complete additional edits and revisions to the recommendation, and that he would reach out to the members of the committee to reschedule the meeting.

M. Gilman stated that the other committee under discussion was the Program Improvement Committee. He thanked the members who had volunteered to participate in this committee.

M. Gilman explained that the goal of the Program Improvement Committee was to develop concrete recommendations on various program improvement ideas. M. Gilman added that this provides the opportunity to form a Rules Review Subcommittee later, which would be informed by the Program Improvement Committee. M. Gilman explained that the Rules Committee would make recommendations on which OARs would need to be revised, based on input from the Program Improvement Committee.

D. Selover added that OHA would send the new board members past materials regarding the Program Improvement Committee.

D. Selover stated that at the last meeting, there was discussion surrounding the attestation portion of the survey and rule review. D. Selover added that the survey pause could provide an opportunity to complete a more thorough review and redesign of the nurse staffing survey.

Board co-chair stated that in the coming months, the board and OHA would need to determine which priorities to focus on. Board co-chair emphasized that the coming months would allow the board to complete non-COVID related work but stressed that there would likely be a surge in Fall 2020 which would limit the board and OHA continuing to work on these activities.

Board co-chair explained that there is an opportunity to examine the emergency rules and to initiate the Program Improvement Committee prior to restarting the survey process, which would allow input from the committee to influence future surveys. Board co-chair asked for comments from other members of the board on these ideas.

Board co-chair expressed agreement and stated that she believed the committees could continue to work during the pandemic since the committees could meet remotely.

Board member agreed that the board should help improve the survey process.

Board member asked if the COVID-19 Committee would be embedded in the Program Improvement Committee and the Rules Review Committee.

Board co-chair clarified that there was an opportunity to send a survey to the Hospital Nurse Staffing Committees that addressed how hospitals and the Nurse Staffing Committees adapted to the pandemic. Board co-chair explained that she saw this COVID committee being independent from the Program Improvement Committee.

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Board member agreed with the board co-chair that the board should examine how hospitals responded to the pandemic and create recommendations to improve the process, should there be another disaster situation in the future.

Board members agreed that committee work should continue during Spring and Summer 2020. Board members agreed that OHA should survey how hospitals and Nurse Staffing Committees are adapting to the pandemic.

D. Selover asked that the two co-chairs and two other board members volunteer to review the survey that OHA will draft for the Chief Nursing Officers and Hospital Nurse Staffing Committee Co-chairs regarding the pandemic's impact on nurse staffing. K. Betts and J. Word volunteered to review the survey.

Board co-chair asked if the board needed to make a decision on the board's goal and recommendations to OHA at this meeting.

D. Selover stated that the board should consider its options and be prepared for discussion at the July board meeting.

Board member proposed that the survey include questions about whether the Nurse Staffing Committee had called a meeting and whether the hospital had implemented its disaster plan. Board member also suggested that the board consider ways in which the nurse staffing survey could be completed remotely.

Action Item(s)	<ul style="list-style-type: none">• Schedule Program Improvement Committee and develop agenda for first meeting• Develop COVID response survey questions for the OHA to send to the Chief Nursing Office and Hospital Nurse Staffing Committee Co-chairs and field the survey• Develop proposal for board for the remainder of 2020• Draft and send communication to hospitals regarding ongoing survey pause
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Agenda Item 4	<i>Public Comment</i>
There were no public comments offered.	

Agenda Item 5	<i>Meeting Adjourned</i>

Approved by the NSAB July 29, 2020

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