
OHA Nurse Staffing Webinar

Overview of Nurse Staffing Regulation in Oregon

September 16, 2022

Health Care Regulation & Quality Improvement

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Agenda

- OHA's Nurse Staffing Program
- Oregon Nurse Staffing Law
- Survey Process
- Nurse Staffing Myths Exposed
- Q & A
- Upcoming Webinars
- Nurse Staffing Resources

OHA's Nurse Staffing Program

- OHA – Health Facility Licensing & Certification (HFLC) program oversees nurse staffing law
 - Surveys, investigations, and revisits
 - Reports and Plans of Correction (POCs)
 - Conference calls
 - Civil monetary penalties
- Nurse Staffing Advisory Board (NSAB) – 12 members appointed by Governor
 - Five direct care nurses, one direct care LPN/CNA, and six nurse managers
 - Different hospital sizes, types, locations, and unionization
 - Meets last Wednesday of January, April, July, and October

Oregon Nurse Staffing Law

- Covers hospitals nursing staff members
- Nursing staff members provide direct patient care and are:
 - RNs
 - LPNs
 - CNAs
- Provides for triennial surveys and complaint investigations

Survey Process

- Surveys cover:
 - Posting requirements
 - Hospital Nurse Staffing Committee activities
 - Nurse Staffing Plans (including meal & break coverage)
 - Overtime
- OHA sends survey announcement one-week before start of full nurse staffing survey
 - Hospital Administrator
 - CNO
 - Nurse Staffing Committee Co-Chairs

Survey Process

- Onsite portion of survey usually lasts 2 – 4 days
 - Involves unit tour
 - Direct care interview
 - Unit tools
 - Record reviews
 - Co-chair interviews
 - SurveyMonkey
- Survey Reports and Plan of Correction schedule
- Revisits

Nurse Staffing Myths Exposed

Myth

The nurse staffing law only applies to inpatient units.

Fact

The nurse staffing law covers any area under the hospital license where nurses are primarily engaged in providing direct patient care services, including outpatient units and satellite clinics.

Technicians and unit secretaries are covered under the nurse staffing law.

Technicians and unit secretaries are only covered under the nurse staffing law if their position requires them to be an RN, CNA, or LPN

Nurse Staffing Myths Exposed

Myth

During surveys direct care representatives and nurse managers must submit their responses on the same unit tool submitted to surveyors.

Hospitals can see your responses to the SurveyMonkey questionnaire used during nurse staffing surveys.

Fact

Direct care representatives and nurse managers can submit their responses on separate tools, or they can submit the same tool.

OHA does not share individual SurveyMonkey responses. Responses are kept confidential to the extent permitted under law.

Nurse Staffing Myths Exposed

Myth

If a POC was accepted for a different hospital, we can copy that language for our POC and have it accepted.

Fact

OHA reviews your POC to determine whether it will correct the deficiency cited at your hospital. Hospitals are cited for different reasons, so what is acceptable for one hospital may not be acceptable at another. We encourage hospitals to read accepted POCs for ideas, but any solution you propose must fit your hospital and address your citation.

OHA 2022 Nurse Staffing Webinar Series

Fridays - 10:00 AM – 11:00 AM on Zoom

- ✓ **September 16** – Overview
- **September 23** – Nurse staffing plan requirements
- **September 30** – Meal and Rest break requirements (nurse staffing plan and timekeeping requirements)
- **October 7** – Voluntary vs. Mandatory overtime (including recordkeeping requirements)
- **October 14** – Nurse staffing during an emergency
- **October 21** – OHA nurse staffing complaint process
- **October 28** – Nurse staffing committee requirements

Q & A

What happens when a facility does not meet staffing requirements?

How do we separate or integrate this law with union contracts?

The questions and answers are provided for general information only and may not be relied upon for purposes of regulatory compliance. The questions and answers are not legal advice and are not intended to be legally binding on the Oregon Health Authority when conducting a survey or complaint investigation.

Are there examples of required postings?

Is nurse staffing law compliance be linked to federal CMS reimbursement somehow and how?

What can we expect during a survey if we haven't been through one?

Nurse Staffing Resources:

Website: www.healthoregon.org/nursestaffing

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