

TABLE 1 - CIVIL PENALTY ASSESSMENTS - OAR 333-501-0045

Type of Violation	First Violation	Repeat Violations
No written nurse staffing plan developed or implemented by facility and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$5,000	Not to exceed \$5000
Statement of deficiencies or letter of warning will be issued for all violations in addition to any civil penalty levied.	\$0	\$0
The hospital required a registered nurse, licensed practical nurse or certified nursing assistant to work: - beyond the agreed-upon and prearranged shift, regardless of the length of the shift; - more than 48 hours in any hospital-defined workweek; - more than 12 consecutive hours in a 24-hour period and, as a result, safe patient care has been or may be negatively impacted; or - during the 10-hour period immediately following the 12th hour worked during a 24-hour period. This work period begins when the nursing staff member begins a shift.	Not to exceed \$2500	Not to exceed \$5000
The hospital willfully does not comply with the requirement to post notice to personnel and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$500	Not to exceed \$500

WRITTEN NURSE STAFFING PLAN

Type of Violation	First Violation	Repeat Violations
The written nurse staffing plan was not developed, monitored, evaluated or modified by the hospital staffing plan committee and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$2500	Not to exceed \$5000
The committee does not have as its primary consideration the provision of safe patient care and adequate nursing staff and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$2500	Not to exceed \$5000

REPLACEMENT STAFF

Type of Violation	First Violation	Repeat Violations
The hospital does not maintain and post a list of replacement staff and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$2500	Not to exceed \$5000
The hospital does not make reasonable efforts to get replacement staff and, as a result, safe patient care has been or may be negatively impacted.	Not to exceed \$2500	Not to exceed \$5000

Factors which may influence the amount of penalty include, but are not limited to:

- Duration and extent of violation;
- Actual harm to one or more patients;
- Willfullness of violation;
- Number of patients harmed.