

Survey and Certification Unit

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August 18, 2022

Re: Summary of Nurse Staffing Audits for 2020

OHA conducted all onsite nurse staffing surveys for the first survey cycle between 2017 – 2019. One triennial survey was initiated in December of 2019 and completed offsite in January of 2020.

OHA was prepared to begin the second triennial survey cycle in March 2020. However, OHA delayed nurse staffing surveys and complaint investigations to align with the federal survey pause and the Governor's Executive Orders as a result of the COVID-19 pandemic. OHA resumed complaint investigations in August 2020.

Between August 2020 and December 2020, OHA investigated four complaints at three hospitals. The investigations reflected concerns related to:

- Tag E628 – Nurse staffing plan requirements
 - One investigation was related to the hospital failing to implement a nurse staffing plan that was approved by the nurse staffing committee using valid voting procedures. The investigation reflected the hospital had implemented an acuity tool without having it approved by the nurse staffing committee.
- Tag E638 – Nurse staffing plan: Acuity and intensity requirements
 - One investigation was related to the hospital failing to implement a nurse staffing plan that was developed to recognize for each unit differences in patient acuity and nursing care intensity. The investigation reflected that multiple units had nurse staffing plans that lacked information related to how acuity or nursing care intensity would be evaluated, calculated, or determined for individual patients. Additionally, it reflected the hospital had implemented an acuity tool without having it approved by the nurse staffing committee.

- Tag E640 – Nurse staffing plan: Minimum numbers of nursing staff members on specified shifts
 - Two investigations were related to hospitals failing to implement a nurse staffing plan that established minimum numbers of nursing staff members on specified shifts. Both investigations reflected the hospital had set a ratio of nurses to patients instead of minimum numbers on nursing staff members on specified shifts as required by the nurse staffing rules.

- Tag E646 – Nurse staffing plan: Tasks not related to direct care
 - All three investigations conducted in 2020 were related to the hospitals failing to implement nurse staffing plans that considered meal and rest breaks and other tasks not related to direct patient care and ensure that the units met minimum numbers of nursing staff members during meal and rest breaks. In all three investigations, the nurse staffing plans did not clearly establish how all nursing staff members would receive meal and rest breaks, and how the units would maintain the minimum numbers during breaks. Two of the three investigations also reflected that nursing staff members did not receive all meal and rest breaks as required.

- Tag E665 – Nurse staffing member overtime
 - Two of three investigations were related to the hospitals failing to ensure that nursing staff members were not required to work mandatory overtime. The investigations reflected that there was no documentation that ensured nurses were not required to work beyond the agreed-upon and pre-arranged shift; more than 12 hours in a 24-hour period; and during the 10-hour period immediately following the 12th worked during a 24-hour period.