

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Hospital Licensing Act is amended by adding  
5 Section 10.10 as follows:

6 (210 ILCS 85/10.10 new)

7 Sec. 10.10. Nurse Staffing by Patient Acuity.

8 (a) Findings. The Legislature finds and declares all of the  
9 following:

10 (1) The State of Illinois has a substantial interest in  
11 promoting quality care and improving the delivery of health  
12 care services.

13 (2) Evidence-based studies have shown that the basic  
14 principles of staffing in the acute care setting should be  
15 based on the complexity of patients' care needs aligned  
16 with available nursing skills to promote quality patient  
17 care consistent with professional nursing standards.

18 (3) Compliance with this Section promotes an  
19 organizational climate that values registered nurses'  
20 input in meeting the health care needs of hospital  
21 patients.

22 (b) Definitions. As used in this Section:

23 "Acuity model" means an assessment tool selected and

1 implemented by a hospital, as recommended by a nursing care  
2 committee, that assesses the complexity of patient care needs  
3 requiring professional nursing care and skills and aligns  
4 patient care needs and nursing skills consistent with  
5 professional nursing standards.

6 "Department" means the Department of Public Health.

7 "Direct patient care" means care provided by a registered  
8 professional nurse with direct responsibility to oversee or  
9 carry out medical regimens or nursing care for one or more  
10 patients.

11 "Nursing care committee" means an existing or newly created  
12 hospital-wide committee or committees of nurses whose  
13 functions, in part or in whole, contribute to the development,  
14 recommendation, and review of the hospital's nurse staffing  
15 plan established pursuant to subsection (d).

16 "Registered professional nurse" means a person licensed as  
17 a Registered Nurse under the Nursing and Advanced Practice  
18 Nursing Act.

19 "Written staffing plan for nursing care services" means a  
20 written plan for guiding the assignment of patient care nursing  
21 staff based on multiple nurse and patient considerations that  
22 yield minimum staffing levels for inpatient care units and the  
23 adopted acuity model aligning patient care needs with nursing  
24 skills required for quality patient care consistent with  
25 professional nursing standards.

26 (c) Written staffing plan.

1           (1) Every hospital shall implement a written  
2 hospital-wide staffing plan, recommended by a nursing care  
3 committee or committees, that provides for minimum direct  
4 care professional registered nurse-to-patient staffing  
5 needs for each inpatient care unit. The written  
6 hospital-wide staffing plan shall include, but need not be  
7 limited to, the following considerations:

8           (A) The complexity of complete care, assessment on  
9 patient admission, volume of patient admissions,  
10 discharges and transfers, evaluation of the progress  
11 of a patient's problems, ongoing physical assessments,  
12 planning for a patient's discharge, assessment after a  
13 change in patient condition, and assessment of the need  
14 for patient referrals.

15           (B) The complexity of clinical professional  
16 nursing judgment needed to design and implement a  
17 patient's nursing care plan, the need for specialized  
18 equipment and technology, the skill mix of other  
19 personnel providing or supporting direct patient care,  
20 and involvement in quality improvement activities,  
21 professional preparation, and experience.

22           (C) Patient acuity and the number of patients for  
23 whom care is being provided.

24           (D) The ongoing assessments of a unit's patient  
25 acuity levels and nursing staff needed shall be  
26 routinely made by the unit nurse manager or his or her

1           designee.

2           (E) The identification of additional registered  
3           nurses available for direct patient care when  
4           patients' unexpected needs exceed the planned workload  
5           for direct care staff.

6           (2) In order to provide staffing flexibility to meet  
7           patient needs, every hospital shall identify an acuity  
8           model for adjusting the staffing plan for each inpatient  
9           care unit.

10          (3) The written staffing plan shall be posted in a  
11          conspicuous and accessible location for both patients and  
12          direct care staff, as required under the Hospital Report  
13          Card Act.

14          (d) Nursing care committee.

15          (1) Every hospital shall have a nursing care committee.  
16          A hospital shall appoint members of a committee whereby at  
17          least 50% of the members are registered professional nurses  
18          providing direct patient care.

19          (2) A nursing care committee's recommendations must be  
20          given significant regard and weight in the hospital's  
21          adoption and implementation of a written staffing plan.

22          (3) A nursing care committee or committees shall  
23          recommend a written staffing plan for the hospital based on  
24          the principles from the staffing components set forth in  
25          subsection (c). In particular, a committee or committees  
26          shall provide input and feedback on the following:

1           (A) Selection, implementation, and evaluation of  
2           minimum staffing levels for inpatient care units.

3           (B) Selection, implementation, and evaluation of  
4           an acuity model to provide staffing flexibility that  
5           aligns changing patient acuity with nursing skills  
6           required.

7           (C) Selection, implementation, and evaluation of a  
8           written staffing plan incorporating the items  
9           described in subdivisions (c)(1) and (c)(2) of this  
10           Section.

11           (D) Review the following: nurse-to-patient  
12           staffing guidelines for all inpatient areas; and  
13           current acuity tools and measures in use.

14           (4) A nursing care committee must address the items  
15           described in subparagraphs (A) through (D) of paragraph (3)  
16           semi-annually.

17           (e) Nothing in this Section 10.10 shall be construed to  
18           limit, alter, or modify any of the terms, conditions, or  
19           provisions of a collective bargaining agreement entered into by  
20           the hospital.

21           Section 99. Effective date. This Act takes effect January  
22           1, 2008.