

HB 2242 -- Veterans Homes and Mental Health Facilities

Sponsor: Walsh

This bill establishes the Safe Staffing and Quality Care Accountability Act for Veterans Homes and the Safe Staffing and Quality Care Accountability Act for Mental Health Facilities.

SAFE STAFFING AND QUALITY CARE ACCOUNTABILITY ACT FOR VETERANS HOMES

The bill:

- (1) Requires all veterans homes to adopt minimum staffing ratios to ensure client and worker safety;
- (2) Requires all veterans homes to employ sufficient direct care staff necessary to provide the active treatment as prescribed in a client's individualized habilitation or treatment plan or plan of care;
- (3) Requires the Missouri Veterans Commission to adopt and maintain minimum staffing ratios for all veterans homes;
- (4) Specifies limits for the assigned duties of direct care staff and requires that minimum staffing ratios apply to staff with direct care responsibilities;
- (5) Prohibits mandatory overtime from counting toward the minimum staffing ratios;
- (6) Prohibits the direct care staff of the commission from being transferred to a general acute care hospital if a client of a veterans home is hospitalized in an acute care facility;
- (7) Requires veterans homes to document and submit monthly to the commission specified staffing information per nursing unit, per shift, and day of the week;
- (8) Specifies when and the amount of mandatory overtime that may be required of direct care staff;
- (9) Requires complaints of violations of the staffing ratios to be filed on a form which will be distributed to veterans home supervisors and the commission. The executive director of the commission is required to investigate all complaints;
- (10) Requires the commission to issue a plan of correction within two days upon receiving evidence of a violation in a veterans home and follow up to ensure that the plan is

implemented;

(11) Establishes whistle-blower protections for direct care staff and a cause of action provision for staff who sustain a personal injury resulting from a violation of the act;

(12) Requires staff transportation clients to have adequate direct care escort staff; and

(13) Exempts direct care staff from responsibility for adverse events resulting from a violation of the act. Management personnel of a veterans home will be held responsible for harm to clients resulting from insufficient staffing.

#### SAFE STAFFING AND QUALITY CARE ACCOUNTABILITY ACT FOR MENTAL HEALTH FACILITIES

The bill:

(1) Requires all mental health facilities operated by the divisions of Comprehensive Psychiatric Services and Mental Retardation and Developmental Disabilities within the Department of Mental Health to adopt minimum staffing ratios to ensure client and worker safety;

(2) Requires all mental health facilities to employ sufficient direct care staff necessary to provide the active treatment as prescribed in a client's individualized habilitation or treatment plan or plan of care;

(3) Requires the department to adopt and maintain minimum staffing ratios for all department facilities;

(4) Prohibits additional duties for certain direct care staff and requires that minimum staffing ratios apply to staff with direct care responsibilities;

(5) Prohibits mandatory overtime from counting toward the minimum staffing ratios;

(6) Prohibits the direct care staff of the department from being transferred to a general acute care hospital if a client of a mental health facility is hospitalized in an acute care hospital;

(7) Requires mental health facilities to document and submit monthly to the department specified staffing information per nursing unit, per shift, and day of the week;

(8) Specifies when and the amount of mandatory overtime that may be required of direct care staff;

(9) Requires complaints of the staffing ratios to be filed on a form which will be distributed to facility supervisors and the department. The department director is required to investigate all complaints;

(10) Requires the department to issue a plan of correction within two business days upon receiving evidence of a violation in a mental health facility and follow up to ensure that the plan is implemented;

(11) Establishes whistle-blower protections for direct care staff and a cause of action provision for staff who sustain a personal injury resulting from a violation of the act;

(12) Requires staff transportation clients to have adequate direct care escort staff; and

(13) Exempts direct care staff from responsibility for adverse events resulting from a violation of the act. Management personnel of a mental health facility will be held responsible for harm to clients resulting from insufficient staffing.