

# Assessing and evaluating complaints

Nurse Staffing Coalition

June 1, 2018

## Introduction

This document was created in May of 2018 as a collaborative effort between WSHA, SEIU Healthcare 1199NW, UFCW 21, and WSNA. These organizations came together in early 2018 to develop sample tools that are intended to help hospitals implement House Bill (HB) 1714, which was passed in the previous legislative session. HB 1714 was intended to update and create some accountability around the nurse staffing committee process.

This tool is intended to help hospital staff assess and evaluate complaints relative to HB 1714. The following document breaks complaints into valid and dismissed categories and resolved and unresolved categories and provides examples for each category. The document concludes with a decision tree to help nurse staffing committees understand the processes they should follow.

## Nurse Staffing Committee Responsibilities Under RCW 70.41.420

There are multiple issues that Nurse Staffing Committees (NSCs) should be considering and to which they should be responding. According to RCW 70.41.420 staffing committees must develop a staffing plan, review the plan semiannually, and review, assess, and respond to staffing variations or concerns brought to the committee. While not all issues will trigger a DOH investigation these are relevant issues that functional NSCs investigate as part of their normal business.

## New Nurse Staffing Committee Accountability Provided by HB 1714

HB 1714 requires NSCs to develop a process to examine and respond to complaints made by nurses about variations or concerns about unit-based staffing plans and/or objections to shift-to-shift adjustments. This process must include the ability to determine if a complaint is resolved or dismissed.

### **Complaints must be considered in a timely manner by the staffing committee if:**

- The hospital does NOT follow the nursing personnel assignments in a patient care unit according to the staffing plan; or
- A nurse disagrees with shift-to-shift adjustments made by management.

### **Complaints may be dismissed if:**

- The hospital follows the nursing personnel assignments in a patient care unit as called for in the nurse staffing plan;
- Evidence does not support the staffing complaint;

- Hospital documents it has made reasonable efforts to obtain staffing but has been unable to; or
- Incident causing the complaint occurred during an unforeseeable emergency defined in RCW 70.41.425 Sec 4:
  - any unforeseen national, state, or municipal emergency;
  - when a hospital disaster plan is activated;
  - any unforeseen natural disaster or catastrophic event that substantially affects or increases the need for health care services; or
  - when a hospital is diverting patients to another hospital or hospitals for treatment or the hospital is receiving patients from another hospital or hospitals.

### **Resolved vs. Unresolved Complaints**

#### *Resolved complaints*

- Nurse staffing committee agrees that the complaint has been resolved.

#### *Unresolved complaints*

- Nurse staffing committee agrees that the complaint was not resolved; or
- Nurse staffing committee is unable to agree if the complaint has been resolved.

### **Washington State Department of Health Oversight**

The following issues will trigger an investigation upon receipt of a complaint with documented evidence. Such investigations could lead to financial sanctions:

- No staffing committee;
- No semi-annual review of a staffing plan;
- Staffing plans are not submitted annually to DOH;
- Updates to the staffing plan are not submitted to DOH as they occur; or
- A pattern of unresolved complaints over a minimum 60-day continuous period leading up to receipt of complaint by the department.

## Complaint Process Decision Tree

