

# Chapter 75

2023 Regular Session

**Subject** Nurse and Patient Safety Act**Bill** S.F. 1384**Analyst** Elisabeth Klarqvist**Date** June 9, 2023

## Overview

This act makes hospital nurses eligible for loan forgiveness under the health professional education loan forgiveness program and modifies loan forgiveness requirements for nurses who agree to teach. It also establishes additional requirements for the development, content, implementation, and review by hospitals of preparedness and incident response action plans to acts of violence. The act requires the commissioner of health to study and report on the status of the state's workforce of nurses employed by hospitals, and it modifies certain contingent appropriations enacted in another law.

## Summary

Section	Description
1	<b>Title.</b> Provides that this act shall be known as the Nurse and Patient Safety Act.
2	<b>Definitions.</b> Amends § 144.1501, subd. 1. Defines hospital nurse for the health professional education loan forgiveness program.
3	<b>Creation of account.</b> Amends § 144.1501, subd. 2. Makes nurses employed as a hospital nurse by a nonprofit hospital and providing direct patient care, eligible for loan forgiveness under the health professional education loan forgiveness program.
4	<b>Eligibility.</b> Amends § 144.1501, subd. 3. Requires hospital nurses applying for loan forgiveness to include with their applications, proof that they are employed as a hospital nurse. Requires hospital nurses and nurses who agree to teach to agree to serve for a minimum of two years in order to receive loan forgiveness, but exempts these nurses

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|   | from the requirement that the service must begin no later than March 31 after completion of their training.   |
| 5 | <p><b>Loan forgiveness.</b></p> <p>Amends § 144.1501, subd. 4. Requires the commissioner to select applicants to participate in the hospital nursing education loan forgiveness program within the limits of available funding for hospital nurse loan forgiveness, and requires a hospital nurse to submit a confirmation of practice form and verification that the loan repayment amount was applied toward the designated loans. Also allows a nurse who agrees to teach to receive loan forgiveness while the nurse meets the teaching obligation requirement, provided the loan forgiveness does not exceed the balance of the nurse's qualifying educational loans.</p>  |
| 6 | <p><b>Violence against health care workers.</b></p> <p>Amends § 144.566. Establishes additional requirements for the development, content, implementation, and review by hospitals of preparedness and incident response action plans to acts of violence.</p> <p><b>Subd. 1. Definitions.</b> Adds a definition of workplace violence hazards to the definitions subdivision.</p> <p><b>Subd. 2. Action plans and action plan reviews required.</b> Requires hospital preparedness and incident response action plans to acts of violence to be updated at least annually, and requires plans to be in writing; be specific to the hazards and corrective measures of the hospital; and be available to health care workers at all times.</p> <p><b>Subd. 3. Action plan committees.</b> Makes technical changes to conform with the restructuring of this section.</p> <p><b>Subd. 4. Required elements of action plans; generally.</b> Requires action plans to: include procedures to actively involve health care workers in developing, implementing, and reviewing the plan; list who is responsible for implementing the plan; and include procedures to ensure compliance.</p> <p><b>Subd. 5. Required elements of action plans; evaluation of risk factors.</b> Requires action plans to include procedures, tools, checklists, and other ways to identify and evaluate workplace violence hazards, and to specify the frequency of environmental assessments.</p> <p><b>Subd. 6. Required elements of action plans; review of workplace violence incidents.</b> Requires action plans to include procedures for reviewing all workplace violence incidents that occurred in the previous year.</p> |

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**Subd. 7. Required elements of action plans; reporting workplace violence.**

Requires action plans to include the listed procedures related to reporting and responding to workplace violence incidents.

**Subd. 8. Required elements of action plans; coordination with other employers.**

Requires action plans to include methods the hospital will use to coordinate implementation of the plan with other employers whose employees work in the same facility, unit, service, or operation. Requires all employees working in the same facility, unit, service, or operation to be provided with certain required training.

**Subd. 9. Required elements of action plans; training.** Requires action plans to include procedures to develop and provide training, cultural competency training, and procedures for communicating with health care workers about workplace violence issues.

**Subd. 10. Training required.** Modifies a hospital's existing duties to provide training to health care workers on safety during acts of violence, to require training during orientation and before the worker completes a shift independently and annually thereafter, and to require training to include information on the hospital's action plans and resources available to workers to cope with acts of violence.

**Subd. 11. Annual review and update of action plans.** Modifies the subjects a hospital must review as part of its annual review and update of its action plans, and requires a hospital to incorporate corrective actions into the action plan to address workplace violence hazards.

**Subd. 12. Action plan updates.** Following the annual review, requires a hospital to update the action plans to include corrective actions the hospital will implement to address hazards and vulnerabilities noted during the annual review.

**Subd. 13. Requests for additional staffing.** Requires a hospital to establish a process for a health care worker to officially request additional staffing; requires the hospital to document all requests for additional staffing due to concerns over an act of violence; requires the hospital to provide a written reason for a denial if the request is denied; and requires a hospital to make this documentation available to the commissioner upon request. Allows the commissioner to use this documentation for certain purposes.

**Subd. 14. Disclosure of action plans.** Requires action plans and reviews to be made available to all direct care staff (in addition to making it available to local law enforcement and collective bargaining units as under current law) and

Section	Description
	requires a hospital to submit its action plan and the results of its most recent annual review to the commissioner.
	<b>Subd. 15. Legislative report required.</b> Requires the commissioner to compile the information into a single report and submit it to certain members of the legislature by January 15 each year. Provides this subdivision does not expire.
	<b>Subd. 16. Interference prohibited.</b> Technical change only.
	<b>Subd. 17. Penalties.</b> Increases the maximum fine amount the commissioner may impose for failure to comply with this section, from \$250 to \$10,000. Requires the commissioner to allow a hospital 30 days to correct a violation before assessing a fine.
7	<b>Trauma Advisory Council established.</b> Amends § 144.608, subd. 1, as amended. Strikes paragraph cross-references to definitions in the health professional education loan forgiveness program definitions subdivision. Makes other technical corrections.
8	<b>Exemptions.</b> Amends § 147A.08. Strikes paragraph cross-references to definitions in the health professional education loan forgiveness program definitions subdivision, and instead lists midlevel practitioners, nurses, and nurse-midwives as professionals not governed by chapter 147A.
9	<b>Direction to commissioner of health; nursing workforce report.</b> Requires the commissioner of health to publish a public report by January 1, 2026, on the status of the state's workforce of nurses employed by hospitals. Lists information the commissioner must use to compile the report. Allows the commissioner to impose a fine of up to \$1,000 on a hospital that fails to provide the information requested by the commissioner under this section.
10	<b>Use of appropriation; loan forgiveness administration.</b> Provides that money appropriated to the commissioner of health in Laws 2023, chapter 70, for certain administrative duties related to the hospital nurse workforce, may also be used to administer the loan forgiveness provisions in sections 2 to 5 of this act.
11	<b>Direction to commissioner of human services.</b> Specifies that child care expenses incurred by a nursing facility scholarship recipient while earning a wage working at a nursing facility are allowable costs.

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12	<p><b>Direct care and treatment; mental health and substance abuse.</b></p> <p>Amends 2023 S.F. No. 2995, art. 20, § 2, subd. 31, if enacted (S.F. No. 2995 was enacted as Laws 2023, ch. 70). Modifies a contingent appropriation to the commissioner of human services for fiscal year 2025 for costs related to implementing portions of the Keeping Nurses at the Bedside Act, to provide the money is appropriated contingent on enactment by the 93rd Legislature of provisions substantially similar to provisions in a 2023 bill proposing the Keeping Nurses at the Bedside Act.</p>
13	<p><b>Commissioner of management and budget.</b></p> <p>Amends 2023 S.F. No. 2995, art. 20, § 12, if enacted (S.F. No. 2995 was enacted as Laws 2023, ch. 70). Modifies a contingent appropriation to the commissioner of management and budget for fiscal year 2025 for costs related to conducting an impact evaluation of the Keeping Nurses at the Bedside Act, to provide the money is appropriated contingent on enactment by the 93rd Legislature of a provision substantially similar to the impact evaluation provision in a 2023 bill.</p>
14	<p><b>Commissioner of labor and industry.</b></p> <p>Amends 2023 S.F. No. 2995, art. 20, § 15, if enacted. (S.F. No. 2995 was enacted as Laws 2023, ch. 70). Eliminates a fiscal year 2024 appropriation to the commissioner of labor and industry for costs related to enforcing provisions in the Keeping Nurses at the Bedside Act. Modifies a fiscal year 2025 contingent appropriation for costs related to enforcing provisions in the Keeping Nurses at the Bedside Act, to provide the money is appropriated contingent on enactment by the 93rd Legislature of sections substantially similar to two sections in a 2023 bill.</p>
15	<p><b>Effective date.</b></p> <p>This act is effective July 1, 2023.</p>



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