

Testimony of the Board of Nursing

**Before the
House Committee on Health
Wednesday, March 20, 2024
10:30am a.m.
Conference Room 329 and Videoconference**

On the following measure:

H.C.R. 187, REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTH CARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE.

Chair Belatti and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Board of Nursing (Board). The Board takes no position on this measure and offers comments.

The purpose of this resolution is for the Department of Health to convene a health care facilities labor standards working group to research, assess, and make recommendations on the best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State. The working group is requested to research, assess, and make recommendations on: (1) potential benefits and impacts associated with the implementation and enforcement of labor standards at hospitals, care homes, and dialysis facilities in the State, including but not limited to the establishment and enforcement of: (a) minimum staffing standards; (b) hospital staffing committees; and (c) mandatory meal breaks, rest breaks, and overtime standards; (2) best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State; and (3) any other issues that may arise, pursuant to the direction of the working group.

As a general matter, the Board notes that it lacks the subject matter expertise necessary to lead the requested working group. The Board's familiarity with the nursing profession is limited to consumer protection aspects of safeguarding life and health through standardizing and enforcing nursing requirements. The Board does not presently have any staff with specific expertise, any particular knowledge of, or experience in matters relating to: health care facility labor standards, minimum staffing

standards, hospital staffing committees, mandatory meal breaks, rest breaks, and overtime standards that would allow the Board to appropriately comment or make any definitive recommendations regarding solutions or suggestions regarding best practices in labor standards.

Rather than having a Board member chair the proposed working group, the Board respectfully suggests that the measure be amended to include other relevant parties to participate in this study. The Board notes that the Legislative Reference Bureau (LRB) conducts policy and legal research and would be an appropriate impartial and neutral entity to conduct the study. Accordingly, the Board suggests that the LRB review other states where similar measures have been implemented and consult with other industry stakeholders to develop recommendations for best practices.

If the Committee still wishes for the Board's participation in this matter, the Board respectfully requests that the measure be amended to limit the Board's involvement to a consultative capacity, should any questions or concerns arise regarding licensing or regulatory functions of the Board.

If the scope of the Board's involvement is narrowed in the manner described above, the Board believes that the services requested under this measure would be manageable, provided that the Board's workload is not adversely impacted by other legislation that may be passed out during this session.

Thank you for the opportunity to testify on this bill.



**Written Testimony Presented Before the
House Committee on Health & Homelessness
March 20, 2024 at 10:30 A.M.
Conference Room 329 and via Videoconference**

**by
Laura Reichhardt, APRN, AGPCNP-BC, FAAN
Director, Hawai'i State Center for Nursing
University of Hawai'i at Mānoa**

Comments on HCR 187 / HR 167

Chair Belatti, Vice Chair Takenouchi, and members of the Committee, thank you for the opportunity to testify on HCR 187 and HR 167. The Hawai'i State Center for Nursing provides comments.

This measure aims to convene a working group to research, assess, and make recommendations on (1) the potential benefits and impacts associated with the implementation and enforcement of labor standards at hospitals, care homes, and dialysis facilities in the State, including but not limited to the establishment and enforcement of minimum staffing standards, hospital staffing committees, and mandatory meal breaks, rest breaks, and overtime standards; (2) Best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State; and (3) Any other issues that may arise, pursuant to the direction of the working group.

The Hawai'i State Center for Nursing (HSCN) recognizes the importance of safe staffing standards. Further, in order to best determine the potential benefits and impacts of such approaches described in this resolution, the HSCN recommends a study is conducted before convening a working group to assess findings and make recommendations to the Legislature. Therefore, HSCN agrees with the approach proposed by the Hawai'i Board of Nursing.

Thank you for the opportunity to testify on this resolution. Your advocacy on behalf of nurses' wellbeing and patient outcomes is greatly appreciated.

The mission of the Hawai'i State Center for Nursing is to engage in nursing workforce research, promote best practices and disseminate knowledge, cultivate a diverse and well-prepared workforce, support healthy work environments, champion lifelong learning, and strategically plan for sound nursing workforce policy.



Wednesday, March 20, 2024 at 10:30 am
Conference Room 329

House Committee on Health and Homelessness

To: Chair Della Au Belatti
Vice Chair Jenna Takenouchi

From: Hilton R. Raethel
President and CEO
Healthcare Association of Hawaii

Re: **Submitting comments with concerns**
HCR 187/HR 167, Requesting the Department of Health to convene a health care facilities labor standards working group to research, assess, and make recommendations on the best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the state

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 30,000 people statewide.

We are submitting **comments with strong concerns** regarding HCR 187/HR 167, which would request the Hawaii Department of Health (DOH) to convene a working group to discuss and make recommendations on best practices for labor standards in the state. This resolution specifically identifies staff to patient ratios and requests that the group provide recommendations on implementing ratios and other items typically included in negotiations between employees and their employers. This would lead to the DOH recommending legislative proposals on collective bargaining issues. Further, the working group does not formally request the presence of any healthcare employers or other organizations in the state, including any post-acute care organizations such as skilled nursing homes or home-and-community-based long-term care settings such as community care foster homes.

We are concerned that this resolution, as drafted, does not address the core issues impacting RN shortages in the state of Hawaii. As stated in other forums, we do not believe that mandated, prescriptive nurse to patient ratio policies are supported by the data to improve care or resolve the workforce shortage. In fact, mandated ratios can have the perverse effect of reducing access to care through the closure of beds or units, and decreased access to service.

California, which is the only state to have mandated ratios, has a nursing workforce shortage of 20,000-30,000 people, and worse health outcomes than Hawaii.

There is a genuine workforce shortage of nearly 1,000 registered nurses in the state. This shortage affects not just hospitals, but our post-acute care members, including nursing facilities, home health agencies, hospice agencies, and assisted living facilities. We believe that more investment should be made to address this shortage, and to also work on recruiting, training, and retaining individuals who support the nursing profession.

We are also concerned that the gathering of a working group of parties across various employers and different unions to discuss items typically addressed in collective bargaining units will not be fruitful. Instead, we believe a review of evidence-based research conducted through a study—rather than a convening of parties adverse to each other who are in current or future collective bargaining negotiations—would be more useful.

Therefore, we would support efforts to have a study completed by an independent entity, such as the Legislative Reference Bureau, on best practices for staffing and workforce development. We would suggest that the study could focus on how organizations implement safe staffing standards based on acuity, along with successful efforts in other states to address the workforce shortage.

Thank you for your continued interest in improving healthcare access and workforce in the state.



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Quality Healthcare For All"

COMMITTEE ON HEALTH & HOMELESSNESS
Representative Della Au Belatti, Chair
Representative Jenna Takenouchi, Vice-Chair

March 20, 2024
10:30 am
Hawaii State Capitol
Room 329 & Via Videoconference

Comments with Strong Concerns on HCR 187

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTH CARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE.

Edward N. Chu
President & Chief Executive Officer
Hawaii Health Systems Corporation

On behalf of the Hawaii Health Systems Corporation (HHSC) Corporate Board of Directors, thank you for the opportunity to present testimony providing our strong concerns on HCR 187.

The requirements of this resolution cover many matters that are the subject of collective bargaining for HHSC's public employees. The requirement to collectively bargain on terms related to wages, hours, and working conditions is well-established under Hawaii law. Specifically, Hawaii Revised Statutes Chapter 89 and volumes of labor law jurisprudence issued by Hawaii courts and the Hawaii Labor Relations Board make it clear that public employers and unions must negotiate regarding terms and conditions of employment. A number of the proposed provisions contained in HCR187 could improperly potentially influence and negatively impact the collective bargaining rights of public employers and our unionized workforce.

Thank you for the opportunity to provide testimony on this matter.



Rosalee Agas Yuu, RN
President
1600 Ala Moana Blvd Suite 100
Honolulu, HI 96815
Tel: (808) 531-1628
Fax: (808) 524-2760

The Thirty-Third Legislature, State of Hawai'i
Hawai'i State House
Committee on Health & Homelessness

Testimony by
Hawaii Nurses Association

March 20, 2024

HCR 187 – Relating to Health Care Facilities Labor Standards Working Group

DATE: Wednesday, March 20, 2024
TIME: 10:30 AM
PLACE: House Conference Room 329

Chair Belatti and Committee Members

The Hawaii Nurses Association - OPEIU Local 50, affiliated with the AFL-CIO founded in 1917, represents 4,000 nurses, respiratory therapists, and other healthcare workers across the State of Hawai'i. We are grateful for this opportunity to express our **SUPPORT of HCR 187**

In Hawaii, healthcare professionals, notably nurses, are grappling with an alarming shortage, largely fueled by chronic overwork and inadequate labor standards. This pressing issue of **long hours, understaffing, and heavy workloads** leads to burnout, jeopardizing both the well-being of healthcare workers and the quality of patient care. HCR 187 requests that the Department of Health establish a Health Care Facilities Labor Standards Working Group, tasked with researching, evaluating, and proposing recommendations for implementing optimal labor practices in hospitals, care homes, and dialysis facilities statewide. By fostering fair and equitable working conditions, HCR 187 aims to mitigate burnout and attrition among healthcare professionals while upholding the standards crucial for high-quality patient care. On behalf of the 4,000 nurses and respiratory therapists whom HNA represents, I urge the esteemed members of this committee to **vote in favor of HCR 187**, recognizing its pivotal role in promoting the well-being of healthcare workers and ensuring excellence in healthcare delivery throughout Hawaii.

We appreciate the opportunity to present our testimony in support of HCR 187.

Respectfully,


Rosalee Agas Yuu
President

HCR-187

Submitted on: 3/18/2024 10:11:03 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Pride at Work – Hawai‘i	Pride at Work – Hawai‘i	Support	Written Testimony Only

Comments:

Aloha Representatives,

Pride at Work – Hawai‘i is an official chapter of Pride at Work which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO. P@W-HI fully supports HCR 187.

We ask that you support this important resolution and in doing so support our nurses in their struggle for safer working environments, which when they are victorious it will make Hawai‘i a better place for us all.

Mahalo for your time and consideration,

Pride at Work – Hawai‘i



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

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The Thirty-Second Legislature
House of Representatives
Committee on Health & Homelessness

Testimony by
Hawaii State AFL-CIO

March 20, 2024

TESTIMONY ON HCR187 - REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTH CARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE

Chair Belatti, Vice Chair Takenouchi, and members of the committee:

The Hawaii State AFL-CIO is a federation of 74 affiliate labor organizations representing over 68,000 union members in the State of Hawaii. The AFL-CIO serves its affiliates by advocating for workers and their families before the state legislature and other state and county government branches.

The Hawaii State AFL-CIO **supports** HCR187, which urges the Department of Health to convene a healthcare facilities labor standards working group to research, assess, and make recommendations on the best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the state.

The current healthcare staffing shortage, exacerbated by the ongoing challenges posed by COVID-19, demands urgent action. Our healthcare professionals are stretched thin, facing unpredictable working conditions and increasing rates of burnout. Improved labor standards are essential for the well-being of our healthcare workers and the quality of care provided to our community.

Convening this working group presents an opportunity to address these pressing issues head-on. Through comprehensive research and collaboration, we can identify effective solutions to enhance working conditions, ensure adequate staffing levels, and improve patient safety and outcomes. Investing in our healthcare workforce is vital for the long-term health of our state's healthcare system.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Perreira".

Randy Perreira
President

HCR-187

Submitted on: 3/19/2024 9:36:25 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Irish Barber	IATSE Local 665	Support	Written Testimony Only

Comments:

The Thirty-Third Legislature, State of Hawai'i
Hawai'i State House
Committee on Health & Homelessness

Testimony in SUPPORT by IATSE Local 665

March 20, 2024

HCR 187 – Relating to Health Care Facilities Labor Standards Working Group

HEARING: Wed., 03/20/2024 TIME: 10:30 AM, Room 329

Aloha, Chair Belatti, Vice Chair Takenouchi and Committee Members -

My name is Irish Barber, and I am the Business Representative and head of IATSE Local 665. Our local represents approximately 800 members and 700 future members who work behind-the-scenes and backstage on feature films, television shows, concerts and conventions across all of the Hawaiian Islands. Mahalo for allowing us to testify in SUPPORT of HCR 187.

In 2021, the IATSE, comprised of over 140,000 film workers, voted in favor of a strike authorization, demanding adequate rest periods. It has been documented that not having enough rest, prevents our bodies from removing toxins from our bloodstream and organs and hastens the aging of our bodies. We were successful in convincing our employers that we needed more rest.

Around the world, healthcare professionals were on the frontline during the height of the pandemic, saving lives at great risk to their own health. They continue to deal with an extraordinary amount of work and perform life and death duties on a daily basis.

Hawai'i Nurses, in particular, are grappling with an alarming shortage, largely fueled by chronic overwork and inadequate labor standards. This pressing issue of long hours, understaffing, and heavy workloads leads to burnout, jeopardizing both the well-being of healthcare workers and the quality of patient care. HCR 187 requests that the Department of Health establish a Health Care Facilities Labor Standards Working Group, tasked with researching, evaluating, and proposing recommendations for implementing optimal labor practices in hospitals, care homes, and dialysis facilities statewide.

By fostering fair and equitable working conditions, HCR 187 aims to mitigate burnout and attrition among healthcare professionals while upholding the standards crucial for high- quality patient care.

Please vote in favor of HCR 187, recognizing its pivotal role in promoting the well-being of healthcare workers and ensuring excellence in healthcare delivery throughout Hawaii.

We appreciate the opportunity to present our testimony in support of HCR 187.

Respectfully,

Irish Barber

Business Representative

IATSE Local 665

Office: (808) 596-0227

Mobile: (808) 479-1770



UNITED PUBLIC WORKERS

AFSCME Local 646, AFL-CIO

**HOUSE OF REPRESENTATIVES
THE THIRTY-SECOND LEGISLATURE
REGULAR SESSION OF 2024**

COMMITTEE ON HEALTH & HOMELESSNESS

Rep. Della Au Belatti, Chair

Rep. Jenna Takenouchi, Vice Chair

Wednesday, March 20, 2024, 10:30 AM
Conference Room 329 & Videoconference

Re: Testimony on HCR187/HR167 – REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTH CARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE

Chair Belatti, Vice Chair Takenouchi, and Members of the Committee:

The United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. Additionally, UPW represents approximately 1,500 healthcare workers in the private sector.

UPW supports HCR187 and HR167, which requests the Department of Health to convene a health care facilities labor standards working group to research, assess, and make recommendations on best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the state.

UPW represents health care professionals in the public and private sectors. In both sectors, our members are experiencing long hours and heavy workloads due to staffing shortages. This resolution could help to address the challenges our members are facing while ensuring a level of care the people of Hawaii deserve.

Mahalo for the opportunity to testify on this measure.

Sincerely,

A handwritten signature in blue ink that reads 'Kalani Werner'.

Kalani Werner
State Director

HEADQUARTERS

1426 North School Street
Honolulu, Hawaii 96817-1914
Phone 808.847.2631

HAWAII

362 East Lanikaula Street
Hilo, Hawaii 96720-4336
Phone 808.961.3424

KAUAI

2970 Kele Street, Suite 213
Lihue, Hawaii 96766-1803
Phone 808.245.2412

MAUI

841 Kolu Street
Wailuku, Hawaii 96793-1436
Phone 808.244.0815

1.866.454.4166

Toll Free - Molokai/Lanai only

HCR-187

Submitted on: 3/18/2024 10:05:33 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Stonewall Caucus of the Democratic Party of Hawai'i	Support	Remotely Via Zoom

Comments:

Aloha Representatives,

The Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i's oldest and largest policy and political LGBTQIA+ focused organization fully supports HCR 187.

We hope you all will support this resolution and in doind so support the important working group that this resolution calls for, to help make sure our nurses have a safer working enviroment.

Mahalo nui loa,

Michael Golojuch, Jr. (he/him)
Chair and SCC Representative
Stonewall Caucus of the Democratic Party of Hawai'i

HCR-187

Submitted on: 3/19/2024 2:38:09 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Patrick Max Weisbarth	Sailors Union of the Pacific	Support	Written Testimony Only

Comments:

In Hawaii, healthcare professionals, notably nurses, are grappling with an alarming shortage, largely fueled by chronic overwork and inadequate labor standards. This pressing issue of long hours, understaffing, and heavy workloads leads to burnout, jeopardizing both the well-being of healthcare workers and the quality of patient care. HCR 187 requests that the Department of Health establish a Health Care Facilities Labor Standards Working Group, tasked with researching, evaluating, and proposing recommendations for implementing optimal labor practices in hospitals, care homes, and dialysis facilities statewide. By fostering fair and equitable working conditions, HCR 187 aims to mitigate burnout and attrition

among healthcare professionals while upholding the standards crucial for high-quality patient care. On behalf of the 4,000 nurses and respiratory therapists

whom HNA represents, I urge the esteemed members of this committee to vote in favor of HCR 187, recognizing its pivotal role in promoting the well-being of healthcare workers and ensuring excellence in healthcare delivery throughout Hawaii.

HCR-187

Submitted on: 3/18/2024 8:13:54 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Carol Philips	Individual	Comments	In Person

Comments:

Dear Char Belatti and Health Committee Members,

The profession of nursing stands as an indispensable pillar within society, its significance resonating profoundly across all walks of life. Nurses are the frontline warriors, embodying compassion, expertise, and resilience in the face of adversity. Their unwavering dedication to healing and caring for the sick transcends mere duty; it embodies a profound commitment to humanity's well-being. Nurses serve as advocates for patients, providing not only medical treatment but also comfort, empathy, and hope. They bridge the gap between medical science and patient care, ensuring that each individual receives holistic attention tailored to their unique needs. Beyond the confines of hospital walls, nurses extend their reach into communities, educating, empowering, and promoting health and wellness. In essence, the profession of nursing is the beating heart of healthcare, nurturing not just bodies but also spirits and fostering a healthier, more compassionate society. **The nurses in Hawaii are asking for your help so that they can keep doing the above.**

Respectfully,

Carol Philips
Haleiwa

HCR-187

Submitted on: 3/18/2024 10:17:10 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Joan Craft	Individual	Support	Remotely Via Zoom

Comments:

Dear Chair, Belatti and Committee Members,

I write in strong support of HCR 187.

We are exhausted and deserve to each lunch. Mandatory overtime should not be a staffing mechanism. We should be able to go home to our families at the end of the day and not be forced to work 16 hours straight. It is not our fault that for some reason Hawaii, the most beautiful place to live in the world, can't attract and keep nurses. We need to get this figured out.

Thank you for your consideration.

Joan Craft RN

HCR-187

Submitted on: 3/18/2024 6:25:14 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Pagaduan	Individual	Support	Written Testimony Only

Comments:

My name is Stephanie Pagaduan, I have been a NICU nurse at Kapiolani Medical Center for 21 years and I am writing in **STRONG SUPPORT** of HCR187. Throughout my years at the bedside, nursing has only gotten riskier due to the increase patient load that management has forced onto nurses due to short staffing. This is not safe because nurses have to rush through patient assessments and cares, which increases the risk of mistakes and mishaps.

I ask you to picture yourself, your loved ones, or even your close friends, as a patient in the hospital, being cared for by a nurse who is overwhelmed with too many patients. By not supporting HCR187 you are only putting the health of yourself, your loved ones and those in our community at risk. You have the opportunity to help make patient to nurse ratios safer so nurses have more time to provide **THOROUGH** and **QUALITY** care to their patients and therefore **IMPROVE PATIENT OUTCOMES**.

Mahalo for your time,

Stephanie Pagaduan

HCR-187

Submitted on: 3/18/2024 6:52:18 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leticia Calles	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair, and committee members,

I am a registered nurse. I strongly support HCR187, which recommends establishing a Department of Health Healthcare Facilities Labor Standards Working Group.

Mahalo for your support of HCR187. Please pass this Resolution!

Respectfully Submitted,

Leticia Calles

HCR-187

Submitted on: 3/19/2024 9:05:47 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Leslie Lopez	Individual	Support	Written Testimony Only

Comments:

I am writing in support of creating a working group to address the workload standards of healthcare professionals.

Leslie Lopez

HCR-187

Submitted on: 3/19/2024 1:26:43 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Stephanie Carlini	Individual	Support	Written Testimony Only

Comments:

Thank you for allowing me to speak in support of 187HCR

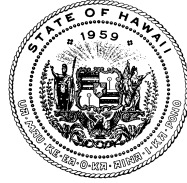
My name is Stephanie Carlini and I am a registered nurse at Kapiolani Medical Center. I have been a registered nurse for 15 years, and I am new to working at Kapiolani. I have worked a wide variety of specialties including PICU, pediatric and adult PACU, GI, Sedation, Outpatient Surgery,Plastics, and Infusion. I left a safe working environment at Seattle Children’s Hospital to join Kapiolani and it is very concerning what is happening with Hawaii healthcare.

I have worked in states that offer state mandated ratios (CA) and other states (WA, CO) where the facilities have ratios that they follow, because this is what is BEST and SAFEST for nurses and patients. Nurses are the backbone of any hospital system and we should be able to provide high quality care, instead we are physically and mentally drained and exhausted. We are drowning in these current conditions and we are suffering, the patients are suffering. Why are we BEGGING for safe conditions? Peoples lives are at stake, this should be a no brainer! Wouldn’t you as a patient want the best possible and safest care? Wouldn’t you expect the safest and highest standards possible when you’re in your time of need?

Ask yourself, why are there one million active RN licenses in this country that are not practicing as nurses. There is no nursing shortage, there is a shortage of nurses willing to work in unsafe conditions, willing to continue to put their physical and mental health at risk and willing to put their licenses on the line on a daily basis by the unnecessary demands of the healthcare system. Please help us provide what we all nurses deserve and what all patients deserve. Safe working conditions and being able to provide high quality care.

Thank you

Stephanie Carlini



JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

KENNETH S. FINK, M.D., M.G.A., M.P.H.
DIRECTOR OF HEALTH
KA LUNA HO'OKELE

Testimony in OPPOSITION to HCR71

REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTHCARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE.

REP. DELLA BELATTI, CHAIR
HOUSE COMMITTEE ON HEALTH & HOMELESSNESS

Hearing Date: March 20, 2024

Room Number: 329

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The department requests this concurrent resolution be deferred or
3 substantially amended to resolve the jurisdictional issues.

4 Convening Agency

5 HCR187 requests that DOH convene this working group but identifies the Board of Nursing as
6 the Chair. Assigning resources at the direction of another state agency is inappropriate, therefore
7 the convening and chairing entity should either be the Hawaii State Center for Nursing, the
8 Board of Nursing, or the Department of Health.

9 One of the goals of HCR187 is to improve working conditions for health care professionals,
10 which is out of scope for DOH. The department's primary mission is to assure patient safety,
11 which is accomplished through licensing and accreditation standards.

12 Labor standards under examination for HCR187 include minimum staffing standards, hospital
13 staffing committees, and mandatory meal breaks, rest breaks, and overtime standards, all of
14 which are subject to collective bargaining and not the purview of DOH. Although the Hawaii
15 Health Systems Corporation (HHSC) is requested to participate, it is inappropriate for public

1 resources to facilitate negotiations for labor contracts for private health systems. A remedy may
2 be to limit the discussion to only public hospitals and exclude the private sector, in which case
3 HHSC may be considered a co-convener.

4 Hospitals

5 DOH licenses hospitals but standards do not include staffing ratios, rather the totality of unsafe
6 settings where the staffing ratio does not match the acuity of the nursing assignment and is thus
7 in a constant state of flux requiring adjustments. As such, this is the purview of the nursing
8 profession, which should identify and advocate for minimum patient safety standards.

9 Care Homes

10 Adult Residential Care Homes (ARCH) have a staff to resident ratio of one to five (1:5) or one
11 to two point five (1-2.5). This almost meets or exceeds various nationwide ratios of one to four
12 (1:4) such as those ratios utilized in California. The ratio may be higher in ARCHs that have a
13 fire suppression safety system (sprinkler) throughout the entire facility.

14 Dialysis Centers

15 The community standard for dialysis centers is 1:8 for nurses and 1:4 for patient care technicians.
16 DOH has not received complaints or indications that these ratios are problematic.

17 The department requests this concurrent resolution be deferred or substantially amended to
18 resolve the jurisdictional issues.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Second Legislature, State of Hawaii
House of Representatives
Committee on Health and Homelessness

Testimony by
Hawaii Government Employees Association

March 20, 2024

H.C.R. 187 – REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A HEALTH CARE FACILITIES LABOR STANDARDS WORKING GROUP TO RESEARCH, ASSESS, AND MAKE RECOMMENDATIONS ON THE BEST PRACTICES IN LABOR STANDARDS THAT CAN BE IMPLEMENTED AT HOSPITALS, CARE HOMES, AND DIALYSIS FACILITIES IN THE STATE.

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of H.C.R. 187, which requests the Department of Health to convene a health care facilities labor standards working group to research, assess, and make recommendations on the best practices in labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State.

As Hawaii's largest public sector union, we represent various health care workers, including public nurses in bargaining unit 9. **Although we appreciate the possible inclusion of being part of this working group on page 2 line 40 to page 3 line 8, we respectfully request an amendment to specifically include HGEA as a member of this working group.** This will ensure that the voices of public health care workers are heard.

We firmly believe that establishing and enforcing proper and realistic staff-to-patient ratios (i.e. "safe-staffing ratios") and common-sense rest and overtime provisions and empowering the State of Hawaii to enforce such ratios and provisions are necessary to ensure the continued health and safety of health care personnel and patients. Proper and realistic staff-to-patient ratios have been shown to be associated with better health and safety outcomes for both health care professionals and patients alike. Quite literally, proper, and realistic staff-to-patient ratios save lives.

Thank you for the opportunity to testify in support of H.C.R 187.

Respectfully submitted,

Randy Perreira
Executive Director

HCR-187

Submitted on: 3/19/2024 4:59:25 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
William c Rol	Individual	Support	Written Testimony Only

Comments:

I strongly support this bill. Pls kokua.

HCR-187

Submitted on: 3/19/2024 7:49:31 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Jae Won Perez	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair, and committee members,

My name is Jae Won Perez. I am a registered nurse and I work at Kuakini Medical Center. **I strongly support HCR187, which recommends establishing a Department of Health Healthcare Facilities Labor Standards Working Group.**

Our hospital currently has a one nurse to six patients’ ratios during the day and one nurse to seven patients’ ratios during the night in the acute care setting. Personally, I believe this is not a safe staffing ratio for an acute care setting. Realistically, it gives us about less than 10-minutes per patient each hour because it takes us time to walk to patient’s room, calling doctors or other inter-professionals, grabbing medications, transferring patients from the floor to other units, charting, and etc. When an acute situation (such as shortness of breath, tachycardia, hypotension, etc.) is happening with one of your patients, the other five to six patients has to wait longer times for the nurse. Especially, when you have a high risk fall patient that is non-compliant with the use of call light to call staffs, multiple falls can occur just because we don’t have enough staffs to cover watching that patient. Some days we do not have enough certified nurse aid (CNA) on the unit to help us so one CNA takes on the load of 15-patients.

At the end of the day, we try our best to care for our patients, but also feel guilty about not having enough time for each patient. We care about the quality of care that the patients receive and HCR 187 will help us to get one step closer in improving the quality of care for our patients.

Please consider passing HCR 187! Mahalo for your support of HCR187.

Respectfully Submitted,

Jae Won Perez

HCR-187

Submitted on: 3/19/2024 9:38:59 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Deborah Spangler	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair and committee members,

My name is Deborah Spangler, I am a registered nurse and I work at Kapi'olani Hospital for Women and Children. I strongly **SUPPORT** HCR187, which recommends establishing a Department of Health Healthcare Facilities Labor Standards Working Group.

Nursing is in crisis, bedside nurses are leaving the bedside due to the soul crushing workload and lack of respect. Nurses are considered a business expense, nurses do not generate income, nurses cut into profit and so the solution for many healthcare establishments has been to use as few nurses as possible. Increasing the responsibilities that each nurse carries allows to cut costs and generate profit. Humans are by nature a greedy group and usually require someone to force them to do what is best for all involved. That is where government comes in, government can force healthcare leadership to do what is best for the people vs what is best for leadership.

Just today, a parent said to me that they would be able to do a better job caring for their child at home because the nurse always has too much to do to immediately take care of their child's needs. While it is not true that at this point in time they could take care of their baby better than the hospital staff, I do understand their concerns. How many times has another baby had its feeding interrupted because the nurse had to leave the room to tend to a baby that was choking on his own vomit? It's already difficult to give consistently good care to every patient, when nurses are forced to care for more patients or forced to care for a fewer number of much sicker patients then something has to give which means quality care goes out the window.

My elected leaders, please, we need you. Support HCR187.

Thank you,

Deborah Spangler RNC

Aloha Representative Takenouchi, Representative Amato, and other esteemed Politicians,

I hope this finds you and your ohanas well. My name is Keiko Koki. I was born and raised on the Winward side of Oahu. I am in strong support for HCR187 regarding safe staffing and standards for hospitals and healthcare facilities here in Hawaii.

I have been a registered nurse at Kapi'olani Hospital for Women and Children for the past 15 years. I have been in my current position as a pediatric resource nurse servicing the two pediatric medical surgical units, the emergency department, and the neonatal ICU for the past 12 years. I strongly support HCR 187. I strongly support this bill not only as a registered nurse that loves this land and its people, but also as a concerned citizen and mother of two children.

I believe that one of the most precious resources in our state is our keiki. They are our future, and I believe that each child born and raised in our state deserves their chance to live their best life possible.

I am appalled at the safety of the nurse-to-patient ratios that I have been assigned to work under at our only specialty pediatric hospital in our state. I have been assigned to care for four telemetry status premature babies for twelve hours. When I challenged the safety of this to my superiors, I was told this ratio could become our "new normal."

I can also recall portions of shifts where we only had 3 or 4 registered nurses for our entire Emergency department for 4 hours. One shift in the emergency department for the 30 minutes when a co-worker was attempting to eat lunch, I was assigned to cover twelve patients, one of them a newly diagnosed diabetic awaiting a placement in the pediatric ICU.

I am a woman of prayer, but I do not believe that prayer alone should be our only safety net for the sickest and most vulnerable children in our state. I have submitted unsafe staffing forms to my superiors, I have spoken about my concerns with my direct manager. I have protested for the safety of our patients outside our hospital along with approximately 600 of my local registered nurse colleagues.

I have dedicated the first 15 years of my career as a registered nurse advocating for the best and safest care for Hawai'i's keiki. I will continue to do so as long as I have breath in me. Please join me in standing up for the safety not only for the keiki of Hawai'i but for any patient in our state that is in need of medical care. Please support HCR 187. The time is now, your moment is now to deeply affect the safety of children, ohanas and citizens in our state now and for future generations.

Respectfully Submitted,

Keiko Koki

HCR-187

Submitted on: 3/19/2024 11:10:32 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
GAIL TASHIMA	Individual	Support	Written Testimony Only

Comments:

There have been numerous occasions when we were working SHORT STAFFED. And patients were getting delayed care because of this. I truly believe in safe patient staffing ratio and patient safety. Mahalo. G. Tashima

HCR-187

Submitted on: 3/19/2024 11:37:53 PM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa H Yee	Individual	Support	Written Testimony Only

Comments:

I can't reiterate the importance of SB 1580 enough, but since it did not pass, we need HCR 187 so we can try to ensure safe staffing through this committee, it is for the safety of the healthcare workers and patients of Hawai'i. As a nurse, I can tell you the patients are sicker and their acuity higher than when I first started as a nurse. We had good days with an occasional busy, stressful day, nowadays a busy, stressful day is the norm, and a good day is rare. The burnout is real, my patients deserve safe quality care now. What would you want for your loved ones if they were patients in a healthcare facility? How much is their safety worth? Thank you for your time.

Aloha,

Theresa Yee RN

HCR-187

Submitted on: 3/20/2024 4:43:43 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Amy Propst	Individual	Support	Written Testimony Only

Comments:

I STRONGLY support HCR 187. Sadly SB 1580 did not pass through legislation this time, but each nurse in Hawaii is grateful to the representatives that are willing to listen. I have had the pleasure of talking to many of you in person about this dire issue.

as you know, Kapiolani medical center recently went through a historic strike and came out hoping management would've heard us. You know what we have since gotten in response? Nothing... the same talking points and zero negotiating on their part. One reason, and the most important reason, we went on strike was for safe staffing ratios. We are burnt out, dissatisfied and losing great nurses everyday. Management believes having set ratios creates delays in care and limits flexibility. This is beyond untrue. Nurses are extremely flexible and understand the hospital setting can be unpredictable. They state they have guideline in place already and we don't need to bother setting proper ratios. The "guidelines" we have are to tighten up, be creative with assignments, and saying "sorry you're short but make it work". management will say how unsuccessful other programs have been that do have set ratios. They are misleading you. Many many places have seen great results. There is not just safe patient care but overall less errors, better mortality rates, happier nurses and happier patients. I have worked in three different hospitals and set ratios are basic to nurse and patient safety. These basic nurse and patient safety ratios are based on research and AWHONN guidelines. I have personally witnessed how ratios can and do work.

I am a permanent night shift charge nurse and I have been put in some very unsafe and unacceptable situations. I have one very scary night in mind as one example. In the NICU our unit is so big and spread out we work with two charge nurse per shift. Very frequently we are so short staffed we are left with one. So this particular night I was without a second charge nurse and I was left with no assignment that could admit a baby because the assignments were made so tight to accommodate for the lack of staff. I also had several nurses with such heavy assignments that they too felt unsafe and a set up for a mistake and also they felt they gave less than the best care our babies deserve. I had ten admissions within my 12 hour shift. I personally had to take two of those babies and charge and help the nurses with scary unsafe assignments. Not one manager volunteered to help either knowing the situation I was in BEFORE my ten admissions. All very sick ones mind you. These are the types of situations we are asked, no forced, to deal with. That night I was flexible, despite their belief we aren't or wouldn't be. Nurses are the most flexible people I know. We don't and wouldn't ever turn someone away because of ratios and that's not the point of having ratios. We are well aware there are things beyond our control, we

deal with it day in and day out, not management. We are asking that the vast majority of our shifts BEGIN with safe ratios. Safe for the patient and safe for us.

having this pass through legislation will aid in ensuring safe staying for all of Hawaii and to hold employers accountable.

HCR-187

Submitted on: 3/20/2024 9:26:48 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Tavia Rosa	Individual	Support	Written Testimony Only

Comments:

Aloha,

My name is Tavia Rosa. I am a registered nurse. I am writing today to ask that you schedule HCR 187.

This bill will create a working group under the Department of Health which will report to the legislature on implementing labor standards practices to address ongoing issues such as patient safety, improved patient health outcomes, and improved compliance.

Sincerely, Tavia Rosa

HCR-187

Submitted on: 3/20/2024 9:50:05 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nicole	Individual	Support	Written Testimony Only

Comments:

As a new healthcare worker, I'm supporting this bill to ensure safe working conditions. There were times I felt unsafe. Thank you.

HCR-187

Submitted on: 3/20/2024 10:05:53 AM

Testimony for HLT on 3/20/2024 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Kathy Young	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Belatti, Vice Chair and committee members,

My name is Kathy Young. I'd like to thank you for the opportunity to speak about my concerns & thoughts on why I strongly support HCR187, which recommends establishing a Department of Health Healthcare Facilities Labor Standards Working Group.

As someone who has been working in the healthcare system for over 30 years, my coworkers and I have been through many changes & have been forced to adapt through the ups & downs. With all of the research & improvements in science, we've seen medicine advance where people are living longer & obtaining a better quality of life. However, on the opposite end, I've witnessed a downward spiral for our qualified personnel & a system that continues to shake our commitment as workers to our common goal of better health care for all.

Our society asks us to do our best and be our best, which we always strive for. However, our efficiency is halted in its tracks due to a lack of realism and human limitations. In most cases, if a group of people have a problem, then something should be said about it. However, it's this "see something, say nothing" mentality that has been making our staffing situation worse. But then if you choose the other fork in the road, you decide to say something to management, & you watch yourself defend every aspect of your professional judgments. Or even better, being told "there's no one" & "just do your best", only to continuously knock yourself out & see that you didn't achieve your best but according to management, it will have to do. This scenario then ends with you regretting you ever said anything & ends up making our staffing mentality worse.

As an example, let me tell you about the last shift I worked.

We started with 13 patients & 3 RNs and 2 CNAs scheduled. An RN was instructed to float to another floor, so we had 2 RNs, 2 CNA's (certified nurse assistant), and no unit clerk. We ended up being maxed out at 7 patients per nurse as we got 1 more patient that just had surgery right after shift change.

After my coworker got report, she was asked to come down & pick up the post-operative patient who was on the second floor. As it was around 8 PM when this occurred, the transport team wasn't able to help us since they leave 4-5 PM. The 2 recovery room nurses could not leave their post as they were expecting another patient, so the CNA went to pick the patient up by himself. After he left our floor, there were 5 call lights to tend to, thus creating even more chaos and disorder.

Later in the shift, a unit clerk from another floor came over because the nursing office was calling us, but no one was answering the phone since we were tending to our patients at bedside. My charge called and was told there was a late sick call, which meant after 11:30 PM, we would have only 1 CNA instead of 2. We were then asked to look for our 2 CNA's and to ask them if they would be willing to stay overtime. Both of our CNA's declined.

My charge nurse paged our nursing supervisor twice and by the time she called back, our evening shift CNA went home and could not be mandated to stay. Regarding our breaks, my charge nurse had to page & ask the nursing supervisor to send someone in to cover us. We needed an hour & a half of coverage, but my charge nurse could only arrange with another floor to send an aide for one hour. The other med-surg floor that had 2 CNAs, 1 left at 0430 as she was ending OT (3 pm-4:30 AM). At the end of the shift, the two of us tried to address this with our head nurse, but couldn't as she was also filling in for a nursing supervisor, so she wasn't able to talk to us.

There are other points I'd like to talk about because I really do support HCR187.

1. My floor has a history of meeting with the Safe Staffing Committee many times, where the committee aides acknowledged the concern, but no changes were made. If acknowledged, the committee takes it in, but procedures aren't then followed due to lack of staffing (RN, Unit Clerk, CNA). For example, our acuity tool calls for 2 CNA from 19:00 to 23:30, but often, two are scheduled and one CNA floats to another floor, even when our assignment is at its maximum.

When we have 21 patients, our acuity calls for 3 CNA but only 2 are provided

Recently, my floor had 19 patients with 3 RNs and 1 CNA staffed for the entire 12 hours. One of my patients was 300 pounds that needed total care. Took 3 of us to help him while the other nurse watched the rest of the floor.

2. Most of the RNs arrive to work 45-90 minutes prior because we review our assignments. We have been told it's a violation of labor law but if we had to review our assignments and take notes, we would never start on time and the shift prior would be going home much later.

Hard to claim overtime at the end of our shift. So many rules and we are questioned/scrutinized afterward, so we often punch out and go back to report.

3. Most Nursing Supervisors only mandates staff to stay when the floor's Charge Nurse proves the floor is dangerously busy and asks them to do so.

My hospital has 212 beds, but we only have 150 floor nurses. My hospital employs alot of Travelers staff: RN, PT, OT, RT, and SPD staff.

At night, if we need something from SPD, we have to page the Supervisor and send a staff to meet her because SPD dept. closes at 11:30 PM.

We have CNAs working extra shifts or staying back on a daily basis for several years. We've worked with no unit clerks several times a month. When these incidents happen, we are not given an extra RN.

Only 1 RN and 1 CNA can go on vacation per week to be at par level.

4. Our Acuity Tool is outdated but our management continues to use it. It does not reflect our workload. We often have several patients leaving and coming in. You can rate all our patients at a level of "High acuity", and we'll still have the same staffing.

Day shift - 1:6 for RN and 1:12 for CNA

Night shift - 1: 7 pts for RN and 1:12 for CNA

My floor can hold 28 patients, but our average is about 14 patients. Day shift usually has 3-4 RNs and 1-2 CNA's assigned. Night shift usually has 2-3 RN's assigned. This results where staff with

less seniority floating out. Often, where there are 2 CNA scheduled, 1 will float out. Even if we are busy too, the other floor has a greater need for the staff.

As you can see, we need help. Please help us.

Mahalo for your support of HCR187. For the sake of all, please pass this resolution!!

Respectfully,

Kathy Young