

Welcome to Today's Webinar

# ASA Legislative Update: How Nurse Staffing and Travel Nurses Became the Hottest Legislative Topic in 2022.



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# How It All Started...



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# Federal



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# Federal

- Congress
  - Bipartisan House and Senate letter
  - “Dear Colleague” letter to White House
  - Hearings
    - House Energy and Commerce Committee—Subcommittee on Consumer Protection and Commerce
    - Senate Commerce Committee—Subcommittee on Consumer Protection, Product Safety, and Data Security

# Federal

- Congress
  - Meetings
    - House Energy and Commerce Health and Oversight Subcommittees
    - U.S. Department of Labor
    - Members of Congress

# State



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# States

- In 2022, 14 states introduced legislation looking to regulate the nurse staffing industry in various ways, including wages paid to nurses
  - California, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Ohio, Oregon, Pennsylvania, Rhode Island
- Legislation primarily driven by the nursing homes and long-term care facilities
  - Financial pressures different than hospitals
  - Not as frequent of a travel nurses
- Largest legislative effort in recent ASA history

# States

- California
- SB 1212
- This bill, which was sponsored by the California Hospital Association, did not include rate caps and focused on price transparency by requiring nurse staffing firms to report client by client billing information to state.
- Status of bill: Dead for the session



# States

- Colorado
- SB 22-210
- The original bill included language requiring the Health Department to convene a task force, to consider “recommendations for determining caps and other limitations on service rates and the amount that supplemental health care staffing agencies may charge for each category of health care workers providing services to health care facilities.”
- Bill amended several times
- Status of bill: Passed awaiting action from the Governor

# States

- Connecticut
- HB 5313
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement.
- Bill amended several times
- Status of bill: Signed into law by the Governor

# States

- Illinois
- HB 4666
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Bill amended several times
- Status of bill: Signed into law by the Governor

# States

- Indiana
- HB 1332
- Required registration and licensing as well as record keeping requirements and restrictions on employee movement.
- Status of bill: No action, bill died

# States

- Iowa
- SF 2521
- The legislation focused on reporting requirements and restrictive employment language.
- Status of bill: Signed into law by Governor

# States

- Kansas
- HB 2524
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: No action, bill died

# States

- Kentucky
- HB 282
- The original bill contained registration requirement and prohibits noncompete agreements and conversion fees. Adds language regarding nurse staffing pricing to the state's price gouging law. Applies to assisted living and long-term care facilities.
- Status of bill: No action, bill died

# States

- Louisiana
- H. 958
- The original bill contained required registration and licensing requirements as well as record keeping requirements and restrictions on employee movement.
- Status of bill: Bill passed and sent to Governor for his consideration



# States

- Missouri
- SB 710
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: Bill amended several times and passed. Sent to Governor for his consideration

# States

- Ohio
- SB 1579
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: Bill amended several times and awaits further consideration

# States

- Oregon
- HB 466
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: Bill amended several times, passed, and signed into law by the Governor

# States

- Pennsylvania
- HB 2293
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: Awaiting consideration

# States

- Rhode Island
- H. 8032 and S. 2498
- The original bill called for capping the amount a nurse staffing firm could charge a health care facility. It also created a new licensing and registration requirement and limited the movement of nurses
- Status of bill: Has been heard in both Houses, awaiting additional consideration

# Update: What's Happened Since Covid has Begun to Subside



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# Next Steps



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## Next Steps

- Federal
  - Call for Task Force to study use of travel nurses
  - Long Term Care House Caucus
  - Outlook for the 118<sup>th</sup> Congress
- State
  - Remainder of 2022 Session
  - Outlook for 2023 Legislative session



# Questions



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