April 26, 2023,

The Honorable Senator \_\_\_\_\_\_\_\_\_\_\_

Pennsylvania Senate

Harrisburg, PA 17120

**RE: Opposition to Nurse Staffing Ratios**

Dear Senator \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

On behalf of my colleagues, we are writing, out of deep concern, to express our strong opposition to mandated staffing rations, “the Patient Safety Act” SB 240 (Collett) and HB106 (Mehaffie) which would impose strict nurse-to-patient ratios in Pennsylvania hospitals. While well intended, we believe this legislation threatens Pennsylvania’s overall health care delivery system and will harm patients’ access to care.

As you know, there is a well-documented nationwide shortage in the health care workforce. The crisis is particularly acute in the field of nursing and in Pennsylvania.

The National Council of State Boards of Nursing recently published [findings](https://www.ncsbn.org/news/ncsbn-research-projects-significant-nursing-workforce-shortages-and-crisis) that reveal that approximately 100,000 registered nurses (RNs) left the workforce during the pandemic and that roughly half million more report an “intent to leave” by 2027. Their assessment is that projected shortfalls will threaten “the national health care system at large, if solutions are not enacted.”

Despite aggressive recruiting efforts and financial incentives, more than 30 percent of registered nurse positions in Pennsylvania hospitals [are vacant](https://www.haponline.org/Resource-Center?resourceid=941). The commonwealth’s RN gap is expected to be the worst in the nation—requiring [an additional 20,345 nurses](https://www.mercer.us/content/dam/mercer/assets/content-images/north-america/united-states/us-healthcare-news/us-2021-healthcare-labor-market-whitepaper.pdf) within the next three years—and reaches through all environments that rely on nurses to deliver essential health care services.

This data is not a myth. These numbers represent the reality confronted every day by every provider who strives to treat patients across Pennsylvania’s continuum of care.

Solutions are needed but mandating ratios is not a solution. The Pennsylvania Organization of Nurse Leaders [‘adamantly’ opposes mandated ratios](https://www.ponl.net/Legislation). Rather than ratios, the American Nurses Association supports [models that encourage flexible staffing levels](https://www.nursingworld.org/practice-policy/nurse-staffing/) and incorporate inter-professional teams.

Only California has mandated nurse staffing ratios across all hospital units. Their experience reveals that one-size-fits-all, statewide ratios:

* do not reduce workforce shortages: CA’s [shortfall](https://www.ucsf.edu/news/2021/09/421366/california-faces-short-term-nursing-shortage-covid-19-retirements#:~:text=The%20authors%20estimate%20a%20current,20%20Annual%20RN%20Schools%20Survey.) is second only to PA’s in the 50 states
* do not improve the quality of care: CA ranks [lower on overall care quality](https://www.ahrq.gov/sites/default/files/wysiwyg/research/findings/nhqrdr/2021qdr.pdf) than PA
* do not increase access to care: CA ranks [46th in beds-per-capita](https://www.kff.org/other/state-indicator/beds-by-ownership/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Total%22,%22sort%22:%22desc%22%7D), PA ranks 18th
* do not end nurses’ short-staffing concerns: CA has a number of [current labor actions](https://www.beckershospitalreview.com/hr/california-nurses-sound-alarm-on-staffing-6-recent-cases.html)

Government-mandated ratios **will not produce more nurses**—which is what Pennsylvania needs. Instead, strict legislative requirements will:

* Strain other health care providers who must ‘compete’ with hospitals for RNs to care for Pennsylvanians
* Decrease the availability of health care services and force facilities of all types to close beds across the continuum of care
* Exacerbate the behavioral health crisis and further intensify already alarming emergency department ‘boarding,’ in which post-acute care placements cannot be found
* Strain ambulance services and emergency medical technicians, as more emergency departments are forced to ‘divert’ when they cannot meet staffing ratios
* Increase wait times for patients seeking emergency care and delay admittance for patients

In addition to exacerbating the health care workforce crisis, mandated nurse staffing ratios do not account for the unique needs of and variations in care across different patients and health care settings. Nurses’ professional and clinical judgement is essential. Patient mix, acuity levels, and operational factors require flexibility to ensure appropriate care.

Post-pandemic, health care providers in Pennsylvania are struggling to maintain financial viability in unprecedented ways. In addition to inflation and pharmaceutical cost increases, for example, base wages and overtime differentials/utilization have risen across the sector. Reimbursements for services—particularly for those who rely on public payers—frequently fall well below the cost of providing care. Mandating staffing levels will undoubtedly harm access to and affordability of care in Pennsylvania. (The [average cost of an inpatient day](https://www.kff.org/health-costs/state-indicator/expenses-per-inpatient-day-by-ownership/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D) at a Pennsylvania nonprofit hospital is $2,886. The same stay in California averages $4,568.)

There is no single solution that will solve Pennsylvania’s health care workforce crisis. Rather than debate an over-simplistic and ineffective proposal, however, we urge you and your colleagues to work with urgency to grow the number of nurses in Pennsylvania and bring them to the bedside. Invest in nurse educators; expand nursing education programs and apprenticeships; support nursing students; and fix the state’s licensing and credentialing processes. Increase investments in high-quality care provided in non-hospital settings. Strengthen models that support hospital-based RNs with additional licensed practical nurses, nursing assistants, and other professionals that can help shoulder the direct care burden.

We respectfully urge you to let your caucus leaders know that you strongly oppose Mandated Nurse Staffing Ratios and, if you have the opportunity to do so, vote against it.

Thank you for protecting Pennsylvania’s entire continuum of care.

Sincerely,

**Insert Your name and credentials**