

**As Introduced**

**136th General Assembly**

**Regular Session**

**2025-2026**

**H. B. No. 521**

**Representatives Lett, Cockley**

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To amend sections 3333.28, 3722.01, 4723.489, 1  
4730.203, and 4772.092; to enact sections 2  
3333.27, 3722.21, 3722.22, 3722.23, 3722.24, 3  
3722.25, 3722.26, 3722.27, 3722.28, 3722.29, 4  
3722.30, 3722.31, 3722.32, 3722.33, 3722.34, 5  
3722.35, 3722.36, 3722.37, 3722.38, 3722.39, and 6  
3722.40; and to repeal sections 3727.50, 7  
3727.51, 3727.52, 3727.53, 3727.54, 3727.55, 8  
3727.56, and 3727.57 of the Revised Code to 9  
require hospitals to establish and comply with 10  
registered nurse staffing plans that protect 11  
patient safety, to create the Nursing Student 12  
Loan-to-Grant Program, to make an appropriation, 13  
and to name this act the Ohio Nurse Workforce 14  
and Safe Patient Act. 15

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3333.28, 3722.01, 4723.489, 16  
4730.203, and 4772.092 be amended and sections 3333.27, 3722.21, 17  
3722.22, 3722.23, 3722.24, 3722.25, 3722.26, 3722.27, 3722.28, 18  
3722.29, 3722.30, 3722.31, 3722.32, 3722.33, 3722.34, 3722.35, 19  
3722.36, 3722.37, 3722.38, 3722.39, and 3722.40 of the Revised 20  
Code be enacted to read as follows: 21

Sec. 3333.27. (A) The nursing student loan-to-grant 22  
program is created in the department of higher education. The 23  
chancellor of higher education shall administer the program in 24  
accordance with this section. 25

Under the program, a nursing student enrolled in a 26  
prelicensure nursing education program for registered nurses 27  
that is approved under section 4723.06 of the Revised Code may 28  
apply to be awarded an amount that is conditioned on the 29  
student's agreement to fulfill a five-year service obligation. 30  
Until an award recipient completes the service obligation, the 31  
total amount received shall be considered a loan subject to 32  
repayment. Once the service obligation is completed, the amount 33  
shall be considered a grant and is no longer subject to 34  
repayment. 35

(B) The service obligation required by the program may be 36  
fulfilled by doing any of the following: 37

(1) Practicing as a direct-care registered nurse in a 38  
hospital licensed under Chapter 3722. of the Revised Code; 39

(2) Practicing as a direct-care registered nurse in a 40  
nursing home or residential care facility, as defined in section 41  
3721.01 of the Revised Code; 42

(3) Serving in this state as a faculty member in a 43  
prelicensure nursing education program for registered nurses 44  
that is approved under section 4723.06 of the Revised Code. 45

(C) The chancellor shall establish an application form to 46  
be used and procedures to be followed by a nursing student 47  
seeking financial assistance through the program. An applicant 48  
shall certify that the applicant will make a good faith effort 49  
to obtain the license and to secure the employment necessary to 50

begin fulfilling the program's service obligation as soon as 51  
practicable following completion of the highest level of 52  
education being sought. 53

The chancellor shall review each application received. If 54  
the chancellor determines that an applicant is eligible and 55  
there are sufficient funds, the chancellor shall award to the 56  
applicant the amount authorized by division (D) of this section. 57

(D) All of the following apply with respect to an 58  
applicant's eligibility and the amount that may be received 59  
under the program: 60

(1) An applicant may submit only one application each 61  
year. 62

(2) If an application is approved, the amount awarded 63  
shall not exceed three thousand dollars. 64

(3) An award recipient may apply for additional awards in 65  
subsequent years, with each additional award not to exceed three 66  
thousand dollars. 67

(4) The maximum number of awards an individual may receive 68  
is four. 69

(E) The chancellor shall establish procedures for 70  
determining whether the recipient of an award under the program 71  
is making a good faith effort to begin fulfilling the 72  
recipient's service obligation as soon as practicable following 73  
completion of the highest level of education being sought. If 74  
the chancellor determines that a good faith effort is not being 75  
made, the chancellor shall seek repayment under the procedures 76  
described in division (F) of this section. 77

The chancellor shall establish procedures for monitoring 78

the progress of a recipient who has commenced the employment 79  
necessary to fulfill the recipient's service obligation. If the 80  
chancellor determines that the recipient has failed to fulfill 81  
the service obligation, the chancellor shall seek repayment 82  
under the procedures described in division (F) of this section. 83

(F) The chancellor shall seek repayment of any amount 84  
awarded under this section that remains a loan because the 85  
chancellor has determined that the recipient failed to fulfill 86  
the recipient's service obligation. On request of the 87  
chancellor, the attorney general shall bring and prosecute to 88  
judgment a civil action to collect any amount that is subject to 89  
repayment and remains unpaid. 90

(G) The nursing student loan-to-grant fund is created in 91  
the state treasury. The fund shall consist of all money 92  
appropriated to the fund by the general assembly. The chancellor 93  
shall use the money in the fund only for purposes of awarding 94  
amounts under the nursing student loan-to-grant program. 95

**Sec. 3333.28.** (A) The chancellor of higher education shall 96  
establish the nurse education assistance program, the purpose of 97  
which shall be to make loans to students enrolled in 98  
prelicensure ~~nurse-nursing~~ education programs ~~at institutions~~ 99  
approved by the board of nursing under section 4723.06 of the 100  
Revised Code and postlicensure ~~nurse-nursing~~ education programs 101  
approved by the chancellor under section 3333.04 of the Revised 102  
Code or offered by an institution holding a certificate of 103  
authorization issued under Chapter 1713. of the Revised Code. 104  
The board of nursing shall assist the chancellor in 105  
administering the program. 106

(B) There is hereby created in the state treasury the 107  
nurse education assistance fund, which shall consist of all 108

money transferred to it pursuant to ~~section~~ sections 3722.36 and 109  
4743.05 of the Revised Code. The money in the fund shall be used 110  
by the chancellor ~~for~~ in accordance with both of the following: 111

(1) For loans made under division (A) of this section ~~and~~ 112  
~~for~~; 113

(2) For expenses of administering the ~~loan~~ program, 114  
subject to both of the following: 115

(a) Of the money transferred pursuant to section 3722.36 116  
of the Revised Code, no part shall be used for administrative 117  
expenses. 118

(b) Of the money transferred pursuant to section 4743.05 119  
of the Revised Code, the amount used for administrative expenses 120  
shall not exceed the amount that would have been used if no 121  
money had been transferred pursuant to section 3722.36 of the 122  
Revised Code. 123

(C) Between July 1, 2005, and January 1, 2012, the 124  
chancellor shall distribute money in the nurse education 125  
assistance fund in the following manner: 126

(1) (a) Fifty per cent of available funds shall be awarded 127  
as loans to registered nurses enrolled in postlicensure ~~nurse~~ 128  
nursing education programs described in division (A) of this 129  
section. To be eligible for a loan, the applicant shall provide 130  
the chancellor with a letter of intent to practice as a faculty 131  
member at a prelicensure or postlicensure program for nursing in 132  
this state upon completion of the applicant's academic program. 133

(b) If the borrower of a loan under division (C) (1) (a) of 134  
this section secures employment as a faculty member of an 135  
approved nursing education program in this state within six 136  
months following graduation from an approved ~~nurse~~ nursing 137

education program, the chancellor may forgive the principal and 138  
interest of the student's loans received under division (C) (1) 139  
(a) of this section at a rate of twenty-five per cent per year, 140  
for a maximum of four years, for each year in which the borrower 141  
is so employed. A deferment of the service obligation, and other 142  
conditions regarding the forgiveness of loans may be granted as 143  
provided by the rules adopted under division (D) (7) of this 144  
section. 145

(c) Loans awarded under division (C) (1) (a) of this section 146  
shall be awarded on the basis of the student's expected family 147  
contribution, with preference given to those applicants with the 148  
lowest expected family contribution. However, the chancellor may 149  
consider other factors the chancellor determines relevant in 150  
ranking the applications. 151

(d) Each loan awarded to a student under division (C) (1) 152  
(a) of this section shall be not less than five thousand dollars 153  
per year. 154

(2) Twenty-five per cent of available funds shall be 155  
awarded to students enrolled in prelicensure ~~nurse~~-nursing 156  
education programs for registered nurses, as defined in section 157  
4723.01 of the Revised Code. 158

(3) Twenty-five per cent of available funds shall be 159  
awarded to students enrolled in ~~nurse~~-nursing education programs 160  
as determined by the chancellor, with preference given to 161  
programs aimed at increasing enrollment in an area of need. 162

After January 1, 2012, the chancellor shall determine the 163  
manner in which to distribute loans under this section. 164

(D) Subject to the requirements specified in division (C) 165  
of this section, the chancellor shall adopt rules in accordance 166

|                                                                                                                                                                                                                                                                                                                                         |                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| with Chapter 119. of the Revised Code establishing:                                                                                                                                                                                                                                                                                     | 167                             |
| (1) Eligibility criteria for receipt of a loan;                                                                                                                                                                                                                                                                                         | 168                             |
| (2) Loan application procedures;                                                                                                                                                                                                                                                                                                        | 169                             |
| (3) The amounts in which loans may be made and the total<br>amount that may be loaned to an individual;                                                                                                                                                                                                                                 | 170<br>171                      |
| (4) The total amount of loans that can be made each year;                                                                                                                                                                                                                                                                               | 172                             |
| (5) The percentage of the money in the fund that must<br>remain in the fund at all times as a fund balance;                                                                                                                                                                                                                             | 173<br>174                      |
| (6) Interest and principal repayment schedules;                                                                                                                                                                                                                                                                                         | 175                             |
| (7) Conditions under which a portion of principal and<br>interest obligations incurred by an individual under the program<br>will be forgiven;                                                                                                                                                                                          | 176<br>177<br>178               |
| (8) Conditions under which all or a portion of the<br>principal and interest obligations incurred by an individual who<br>is deployed on active duty outside of the state or who is the<br>spouse of a person deployed on active duty outside of the state<br>may be deferred or forgiven.                                              | 179<br>180<br>181<br>182<br>183 |
| (9) Ways that the program may be used to encourage<br>individuals who are members of minority groups to enter the<br>nursing profession;                                                                                                                                                                                                | 184<br>185<br>186               |
| (10) Any other matters incidental to the operation of the<br>program.                                                                                                                                                                                                                                                                   | 187<br>188                      |
| (E) The obligation to repay a portion of the principal and<br>interest on a loan made under this section shall be forgiven if<br>the recipient of the loan meets the criteria for forgiveness<br>established by division (C) (1) (b) of this section, in the case<br>of loans awarded under division (C) (1) (a) of this section, or by | 189<br>190<br>191<br>192<br>193 |

the chancellor under the rule adopted under division (D) (7) of 194  
this section, in the case of other loans awarded under this 195  
section. 196

(F) The obligation to repay all or a portion of the 197  
principal and interest on a loan made under this section may be 198  
deferred or forgiven if the recipient of the loan meets the 199  
criteria for deferment or forgiveness established by the 200  
chancellor under the rule adopted under division (D) (8) of this 201  
section. 202

(G) The receipt of a loan under this section shall not 203  
affect a student's eligibility for assistance, or the amount of 204  
that assistance, granted under section 3333.122, 3333.22, 205  
3333.26, 5910.03, 5910.032, or 5919.34 of the Revised Code, but 206  
the rules of the chancellor may provide for taking assistance 207  
received under those sections into consideration when 208  
determining a student's eligibility for a loan under this 209  
section. 210

(H) As used in this section, "active duty" means active 211  
duty pursuant to an executive order of the president of the 212  
United States, an act of the congress of the United States, or 213  
section 5919.29 or 5923.21 of the Revised Code. 214

**Sec. 3722.01.** As used in this chapter: 215

(A) "Children's hospital" means either of the following: 216

(1) A hospital that provides general pediatric medical and 217  
surgical care in which at least seventy-five per cent of annual 218  
inpatient discharges for the preceding two calendar years were 219  
individuals less than eighteen years of age; 220

(2) A distinct portion of a hospital that provides general 221  
pediatric medical and surgical care, has a total of at least one 222

hundred fifty pediatric special care and pediatric acute care 223  
beds, and in which at least seventy-five per cent of annual 224  
inpatient discharges for the preceding two calendar years were 225  
individuals less than eighteen years of age. 226

(B) "Health care service" means any of the following: 227

(1) Pediatric intensive care; 228

(2) Solid organ and bone marrow transplantation; 229

(3) Stem cell harvesting and reinfusion; 230

(4) Cardiac catheterization; 231

(5) Open heart surgery; 232

(6) Operation of linear accelerators; 233

(7) Operation of cobalt radiation therapy units; 234

(8) Operation of gamma knives. 235

(C) "Hospital" means an institution or facility that 236  
provides inpatient medical or surgical services for a continuous 237  
period longer than twenty-four hours. "Hospital" includes a 238  
children's hospital. 239

(D) "Political subdivision" means a county, township, 240  
municipal corporation, or other body corporate and politic 241  
responsible for governmental activities in a geographic area 242  
smaller than that of the state. 243

(E) "Registered nurse" has the same meaning as in section 244  
4723.01 of the Revised Code. 245

(F) "State university" has the same meaning as in section 246  
3345.12 of the Revised Code. 247

**Sec. 3722.21.** (A) Notwithstanding any conflicting 248

|                                                                              |     |
|------------------------------------------------------------------------------|-----|
| <u>provision of this chapter or any other provision of the Revised</u>       | 249 |
| <u>Code, but subject to division (B) of this section, sections</u>           | 250 |
| <u>3722.22 to 3722.40 of the Revised Code apply to all hospitals</u>         | 251 |
| <u>and portions of hospitals that use registered nurses to provide</u>       | 252 |
| <u>the type of patient care described in sections 3722.22 to</u>             | 253 |
| <u>3722.40 of the Revised Code, including both of the following:</u>         | 254 |
| <u>(1) Inpatient facilities and units licensed by the</u>                    | 255 |
| <u>department of behavioral health under section 5119.33 of the</u>          | 256 |
| <u>Revised Code;</u>                                                         | 257 |
| <u>(2) Hospitals registered under section 3701.07 of the</u>                 | 258 |
| <u>Revised Code as long-term acute care hospitals.</u>                       | 259 |
| <u>(B) Sections 3722.22 to 3722.40 of the Revised Code do not</u>            | 260 |
| <u>apply to any of the following:</u>                                        | 261 |
| <u>(1) Hospitals managed by the department of behavioral</u>                 | 262 |
| <u>health under Chapter 5119. of the Revised Code;</u>                       | 263 |
| <u>(2) Freestanding inpatient rehabilitation facilities</u>                  | 264 |
| <u>licensed by the department of health under section 3702.30 of</u>         | 265 |
| <u>the Revised Code;</u>                                                     | 266 |
| <u>(3) Freestanding birthing centers licensed by the</u>                     | 267 |
| <u>department of health under section 3702.30 of the Revised Code.</u>       | 268 |
| <b><u>Sec. 3722.22. (A) A hospital shall develop a nurse</u></b>             | 269 |
| <b><u>staffing plan that provides adequate, appropriate, and quality</u></b> | 270 |
| <b><u>delivery of health care services and protects patient safety.</u></b>  | 271 |
| <b><u>The hospital's plan shall address all recommendations the</u></b>      | 272 |
| <b><u>hospital receives from its nurse staffing committee created</u></b>    | 273 |
| <b><u>under section 3722.23 of the Revised Code.</u></b>                     | 274 |
| <u>Once a proposed plan has been developed, the hospital</u>                 | 275 |
| <u>shall submit the proposal to its nurse staffing committee for</u>         | 276 |

review. If the committee recommends revisions, the hospital 277  
shall revise the proposed plan accordingly. This process shall 278  
continue until the committee has granted its approval of the 279  
plan. 280

When the hospital is notified that its nurse staffing 281  
committee has approved the proposed plan, the hospital shall 282  
implement the plan in whole and continue to comply with all of 283  
the plan's provisions. Any proposal to update or otherwise 284  
revise the plan is subject to the same procedures that applied 285  
to the development and approval of the original plan. 286

The hospital shall post a copy of its approved nurse 287  
staffing plan on a publicly accessible area of the internet web 288  
site maintained by the hospital. In addition, the hospital shall 289  
submit a copy of the plan to the director of health. 290

(B) If a hospital is in operation on the effective date of 291  
this section, the hospital's initial nurse staffing plan shall 292  
be developed and implemented not later than one year after the 293  
effective date of this section. If a hospital begins operation 294  
after the effective date of this section, the hospital's initial 295  
nurse staffing plan shall be developed and implemented as soon 296  
as practicable, as determined by the director of health. 297

**Sec. 3722.23.** (A) Each hospital shall establish and 298  
maintain a nurse staffing committee. The membership of the 299  
committee is subject to all of the following: 300

(1) At least sixty per cent of the membership shall 301  
consist of direct care registered nurses, with at least one 302  
registered nurse serving as a member from each of the hospital's 303  
patient care units. These members shall be elected by their 304  
peers. 305

(2) If there is a collective bargaining agreement covering 306  
the nurses employed by the hospital, the membership shall 307  
include nurses who are appointed by the labor organization, as 308  
defined in section 3517.01 of the Revised Code, that represents 309  
the nurses covered by that agreement. 310

(3) All or part of the remainder of the membership shall 311  
consist of a meaningful representation of direct care staff who 312  
serve in positions that are not considered management positions. 313  
These members shall be elected by their peers. 314

(B) The committee shall meet at intervals it considers 315  
necessary to fulfill its responsibilities. Attending a meeting 316  
of the committee as a member or otherwise fulfilling the duties 317  
of membership shall be considered by the hospital as part of a 318  
member's regularly scheduled hours of work for any pay period. 319

(C) For purposes of the hospital's nurse staffing plan 320  
required by section 3722.22 of the Revised Code, the committee 321  
shall do all of the following: 322

(1) Prepare and submit recommendations for development of 323  
the plan; 324

(2) Review the hospital's proposed plan and make 325  
recommendations for revisions as the committee considers 326  
necessary; 327

(3) Approve the hospital's proposed plan once the 328  
committee determines that the plan complies with all of the 329  
committee's recommendations; 330

(4) Consider any proposed updates or other revisions to an 331  
approved plan by using the same process that applied to its 332  
consideration of the original plan. 333

(D) In addition to its duties under division (C) of this 334  
section, the committee may prepare and submit recommendations to 335  
the hospital on any other matter it considers relevant to the 336  
staffing, patient safety, and other provisions of sections 337  
3722.21 to 3722.40 of the Revised Code. 338

**Sec. 3722.24.** (A) Except as provided in sections 3722.25 339  
and 3722.26 of the Revised Code, at all times during each 340  
working shift within a particular patient care unit of a 341  
hospital, the hospital shall assign a direct care registered 342  
nurse to not more than the number of patients identified under 343  
division (B) of this section for that unit. The resulting nurse- 344  
to-patient ratios shall be implemented as mandatory minimum 345  
staffing requirements, but these minimum requirements do not 346  
preclude a hospital from electing to implement more stringent 347  
staffing requirements. 348

(B) For purposes of division (A) of this section, all of 349  
the following apply with respect to the maximum number of 350  
patients who may be assigned to a direct care registered nurse: 351

(1) One patient in either of the following: 352

(a) A trauma emergency unit; 353

(b) An operating room unit, as long as there is at least 354  
one other person assigned to serve at the same time as an 355  
operating room assistant. 356

(2) Two patients in a critical care unit, including a unit 357  
with any of the following designations: neonatal intensive care, 358  
emergency critical care, intensive care, labor and delivery, 359  
coronary care, acute respiratory care, postanesthesia care, or 360  
burn care; 361

(3) Three patients in either of the following: 362

|                                                                        |     |
|------------------------------------------------------------------------|-----|
| <u>(a) A unit with any of the following designations:</u>              | 363 |
| <u>emergency department care, pediatric care, step-down care,</u>      | 364 |
| <u>telemetry care, or antepartum care;</u>                             | 365 |
| <u>(b) A combined unit for labor, delivery, and postpartum</u>         | 366 |
| <u>care.</u>                                                           | 367 |
| <u>(4) Four patients in either of the following:</u>                   | 368 |
| <u>(a) A unit with any of the following designations:</u>              | 369 |
| <u>medical-surgical care, intermediate care, or acute psychiatric</u>  | 370 |
| <u>care;</u>                                                           | 371 |
| <u>(b) Any other specialty care unit not specified in</u>              | 372 |
| <u>division (B) (4) (a) of this section.</u>                           | 373 |
| <u>(5) Five patients in either of the following:</u>                   | 374 |
| <u>(a) A rehabilitation unit;</u>                                      | 375 |
| <u>(b) A skilled nursing unit, including a unit that has beds</u>      | 376 |
| <u>registered under section 3701.07 of the Revised Code as skilled</u> | 377 |
| <u>nursing beds, long-term care beds, or special skilled nursing</u>   | 378 |
| <u>beds.</u>                                                           | 379 |
| <u>(6) Six patients in either of the following:</u>                    | 380 |
| <u>(a) A postpartum care unit, with each mother and infant</u>         | 381 |
| <u>being counted as a separate patient;</u>                            | 382 |
| <u>(b) A unit designated as a well-baby nursery.</u>                   | 383 |
| <u>(7) In the case of a hospital unit that is not identified</u>       | 384 |
| <u>in divisions (B) (1) to (6) of this section, the number of</u>      | 385 |
| <u>patients designated by the director of health.</u>                  | 386 |
| <u>(C) The direct care registered nurse-to-patient staffing</u>        | 387 |
| <u>ratios that result from the requirements of divisions (A) and</u>   | 388 |
| <u>(B) of this section shall be implemented by a hospital as soon</u>  | 389 |

as practicable, as determined by the director of health, subject 390  
to both of the following time frames in the case of a hospital 391  
that is in operation on the effective date of this section: 392

(1) Except as provided in division (C) (2) of this section, 393  
the staffing ratios apply beginning on the date that is two 394  
years after the effective date of this section. 395

(2) If the hospital is located in a rural area, as 396  
identified by the director, the staffing ratios apply beginning 397  
on the date that is four years after the effective date of this 398  
section. 399

**Sec. 3722.25.** (A) The director of health may establish 400  
direct care registered nurse-to-patient staffing ratios that are 401  
more stringent than the nurse-to-patient staffing ratios 402  
identified in section 3722.24 of the Revised Code, if both of 403  
the following are the case: 404

(1) The director has determined that the more stringent 405  
staffing ratios are necessary to protect patient safety. 406

(2) The director has consulted with both the hospital and 407  
the registered nurses affected by the more stringent staffing 408  
ratios. 409

(B) If staffing ratios are established under this section, 410  
the affected hospital shall comply with the staffing ratios in 411  
accordance with the same time frames that apply to the hospital 412  
under division (C) of section 3722.24 of the Revised Code. 413

**Sec. 3722.26.** (A) Subject to division (B) of this section, 414  
a hospital is not required to comply with the direct care 415  
registered nurse-to-patient staffing ratios identified in 416  
section 3722.24 or any more stringent ratios established under 417  
section 3722.25 of the Revised Code during any public health 418

emergency that applies within this state and has been declared 419  
by an officer of this state or the federal government. 420

(B) (1) If a hospital proposes to deviate from the nurse- 421  
to-patient staffing ratios because of a public health emergency, 422  
the hospital shall submit the proposal to its nurse staffing 423  
committee created under section 3722.23 of the Revised Code. The 424  
committee shall review the proposed deviation. If the committee 425  
approves the deviation, the hospital may implement the deviation 426  
accordingly. 427

(2) Once a deviation is approved by the committee, the 428  
hospital shall do both of the following: 429

(a) Submit information to the director of health 430  
identifying the deviation, the reason for it, and the period 431  
during which it will be in effect; 432

(b) Not later than ten days after the hospital implements 433  
the deviation, post the same information described in division 434  
(B) (2) (a) of this section on a publicly accessible area of the 435  
internet web site maintained by the hospital. 436

**Sec. 3722.27.** In assigning registered nurses to a 437  
particular hospital unit as part of implementing the direct care 438  
registered nurse-to-patient staffing ratios identified in 439  
section 3722.24 and established under section 3722.25 of the 440  
Revised Code, a hospital is subject to all of the following: 441

(A) The hospital shall not assign a registered nurse to a 442  
patient care unit unless the nurse has received an orientation 443  
that is sufficient to provide competent care in that unit and 444  
has demonstrated competence in providing care for that unit. 445  
This division applies to all registered nurses who may be 446  
assigned to a unit, including nurses provided to the hospital by 447

temporary staffing agencies and nurses who relieve other nurses 448  
during breaks, meals, and other routine or expected absences 449  
from the unit. 450

(B) The hospital shall not include, as part of meeting the 451  
staffing requirements, any registered nurse who is serving in an 452  
administrative or supervisory position, including a nurse who is 453  
serving as a charge nurse. 454

(C) The hospital shall not attempt to meet the staffing 455  
requirements by calculating averages of the number of patients 456  
in a unit or the number of registered nurses assigned to the 457  
unit during any particular working shift or over any other 458  
period of time. 459

(D) The hospital shall not use video monitors or any other 460  
electronic means of observing a patient as a means of meeting 461  
the staffing requirements. 462

(E) The hospital shall not impose mandatory overtime on 463  
any registered nurse as a means of meeting the staffing 464  
requirements. 465

**Sec. 3722.28.** In providing patient care as part of 466  
implementing the direct care registered nurse-to-patient 467  
staffing ratios identified in section 3722.24 and established 468  
under section 3722.25 of the Revised Code, a hospital is subject 469  
to all of the following: 470

(A) The hospital shall not use video monitors or any other 471  
electronic means of observing a patient as a substitute for the 472  
direct observation that is necessary for a registered nurse to 473  
conduct proper patient assessments. 474

(B) The hospital shall not place a patient for care in a 475  
particular unit unless the staffing ratios that apply to the 476

unit are sufficient to meet the level of intensity, type of 477  
care, and individual needs of that patient. 478

(C) If the hospital provides care in a unit with 479  
adjustable patient acuity levels, the hospital shall use the 480  
staffing ratio that applies to the highest patient acuity level 481  
that exists within the unit during a working shift. 482

(D) If an assessment of a patient's acuity level and 483  
nursing care plan demonstrates that the patient's care requires 484  
staffing that is more stringent than the ratios that would 485  
otherwise apply, the hospital shall provide additional direct 486  
care registered nurses, licensed practical nurses, and other 487  
personnel in accordance with the assessment. 488

**Sec. 3722.29.** (A) In each of its patient care units, a 489  
hospital shall post a uniform notice that explains the 490  
requirements of sections 3722.21 to 3722.40 of the Revised Code. 491  
For each working shift in a unit, the hospital shall include 492  
with the uniform notice a posting of both of the following: 493

(1) A description of the direct care registered nurse-to- 494  
patient staffing ratio that applies to the unit; 495

(2) The actual number and titles of the direct care 496  
registered nurses who are assigned during the shift. 497

(B) The uniform notice and shift-specific information 498  
shall be prepared in a manner prescribed by the director of 499  
health. The notice and information shall be posted in an area of 500  
the unit that is visible, conspicuous, and accessible to the 501  
hospital's staff, its patients, and the public. 502

**Sec. 3722.30.** (A) A hospital shall develop a system to 503  
document the manner in which it meets the requirements of 504  
sections 3722.21 to 3722.40 of the Revised Code. In accordance 505

with the system, the hospital shall maintain records of each of 506  
the following for not less than three years: 507

(1) A copy of each notice posted under section 3722.29 of 508  
the Revised Code; 509

(2) The actual staffing levels that occurred in each 510  
patient care unit of the hospital during each working shift; 511

(3) Information certifying whether each direct care 512  
registered nurse assigned to a unit received rest and meal 513  
breaks during a working shift and the identities of the 514  
individuals who relieved the nurses during the breaks. 515

(B) On request, the records maintained under this section 516  
shall be made available to any of the following: 517

(1) The director of health; 518

(2) Any registered nurse or the nurse's exclusive 519  
representative, as defined in section 4117.01 of the Revised 520  
Code; 521

(3) Any member of the general public. 522

**Sec. 3722.31.** With respect to each patient admitted to a 523  
hospital for care in an inpatient unit, the hospital shall 524  
provide the patient or the patient's representative with the 525  
telephone number of the toll-free patient safety telephone line 526  
made available to the public by the department of health under 527  
section 3701.91 of the Revised Code. The patient or the 528  
patient's representative may use the telephone number to do 529  
either or both of the following: 530

(A) Seek information regarding the nurse staffing 531  
requirements and other provisions of sections 3722.21 to 3722.40 532  
of the Revised Code; 533

(B) Make reports of inadequate staffing or care at the 534  
hospital. 535

**Sec. 3722.32.** (A) With respect to staffing within a 536  
hospital and its patient care units, a registered nurse may 537  
object to or refuse to participate in any activity, policy, 538  
practice, assignment, or task if the nurse reasonably believes 539  
any of the following: 540

(1) That the hospital is not complying with its mandatory 541  
minimum nurse-to-patient staffing ratios or is otherwise 542  
violating sections 3722.21 to 3722.40 of the Revised Code; 543

(2) That the activity, policy, practice, assignment, or 544  
task poses a risk to patient safety; 545

(3) That the nurse is not prepared by education, training, 546  
or experience to participate, and that doing so would compromise 547  
patient safety or subject the nurse to disciplinary action by 548  
the board of nursing. 549

(B) If a registered nurse in good faith exercises the 550  
authority granted by division (A) of this section, the hospital 551  
shall not take any retaliatory action against the nurse, 552  
including any of following: 553

(1) Imposing discipline involving the nurse's employment 554  
with the hospital, including a reduction in the number of hours 555  
available for work, reassignment to a different position or 556  
shift, or termination of employment; 557

(2) Filing a complaint or report against the nurse with 558  
the board of nursing. 559

(C) If a violation of division (B) of this section occurs, 560  
the registered nurse may submit a complaint against the hospital 561

under section 3722.37 of the Revised Code. In addition to any 562  
disciplinary actions taken against the hospital by the director 563  
of health under section 3722.36 of the Revised Code as a result 564  
of the complaint and subsequent investigation, the registered 565  
nurse has a cause of action against the hospital for committing 566  
the violation. 567

**Sec. 3722.33.** (A) The director of health shall conduct 568  
audits of a hospital to determine both of the following: 569

(1) Whether the hospital is implementing its staffing plan 570  
in accordance with sections 3722.21 to 3722.40 of the Revised 571  
Code; 572

(2) Whether the hospital is maintaining records in 573  
accordance with section 3722.30 of the Revised Code. 574

(B) The director shall conduct at least one audit of a 575  
hospital every six months. The director may conduct other audits 576  
at any time the director considers necessary for proper 577  
enforcement of sections 3722.21 to 3722.40 of the Revised Code. 578

**Sec. 3722.34.** No hospital shall knowingly do any of the 579  
following: 580

(A) Fail to develop and implement a staffing plan in 581  
accordance with section 3722.22 of the Revised Code; 582

(B) Except as provided in section 3722.26 of the Revised 583  
Code, fail to comply with the staffing plan once it has been 584  
implemented; 585

(C) Fail to comply in any other manner with sections 586  
3722.21 to 3722.40 of the Revised Code. 587

**Sec. 3722.35.** The director of health shall investigate 588  
alleged violations of section 3722.34 of the Revised Code, 589

including allegations that arise from complaints received under 590  
section 3722.37 of the Revised Code. 591

An investigation may be conducted with or without giving 592  
advance notice to the hospital that is the subject of the 593  
investigation. In either case, the hospital shall grant access 594  
to the hospital's facilities and records as considered necessary 595  
by the director. 596

**Sec. 3722.36.** (A) If the director of health determines 597  
through an investigation conducted under section 3722.35 of the 598  
Revised Code or through any other means that a hospital is in 599  
violation of section 3722.34 of the Revised Code, the director 600  
shall require the hospital to establish a corrective action plan 601  
and submit the plan to the director. The plan is subject to 602  
approval by the director. On the director's request, the plan 603  
shall be revised accordingly. 604

(B) (1) If a violation of section 3722.34 of the Revised 605  
Code is not resolved by the hospital's corrective action plan 606  
established under division (A) of this section, the director 607  
shall impose a fine pursuant to an adjudication under Chapter 608  
119. of the Revised Code. The following fines apply: 609

(a) In the case of a fine that is imposed on the hospital 610  
as a business entity, the amount of the fine for a first offense 611  
shall be twenty-five thousand dollars; for each subsequent 612  
offense, the amount of the fine shall be fifty thousand dollars. 613

(b) In the case of a fine that is imposed on an individual 614  
who is employed by the hospital, the amount of the fine shall be 615  
twenty thousand dollars for each offense. 616

(2) On the director's request, the attorney general shall 617  
bring and prosecute to judgment a civil action to collect any 618

fine imposed under division (B) (1) of this section that remains 619  
unpaid. 620

(C) All fines collected under division (B) of this section 621  
shall be deposited into the state treasury to the credit of the 622  
nurse education assistance fund created under section 3333.28 of 623  
the Revised Code and used only as described in division (B) (1) 624  
of that section. 625

**Sec. 3722.37.** The director of health shall establish 626  
procedures under which a registered nurse, a hospital patient, 627  
or any other person may file a complaint with the director 628  
alleging that a hospital has violated section 3722.34 of the 629  
Revised Code. On receipt of a complaint, the director shall 630  
conduct an investigation as provided in section 3722.35 of the 631  
Revised Code. 632

**Sec. 3722.38.** With respect to the requirements, rights, 633  
and remedies established under sections 3722.21 to 3722.40 of 634  
the Revised Code, all of the following apply: 635

(A) A hospital shall not discriminate or retaliate in any 636  
manner against a registered nurse, hospital patient, or any 637  
other person who, in good faith, files a complaint under section 638  
3722.37 of the Revised Code, presents a grievance to the 639  
hospital regarding the staffing within the hospital's patient 640  
care units, or otherwise demonstrates opposition to any hospital 641  
policy, practice, or action that is in violation of sections 642  
3722.21 to 3722.40 of the Revised Code. 643

(B) A hospital shall not interfere with, restrain, or 644  
prohibit a person's exercise of, or attempt to exercise, any of 645  
the rights conferred by sections 3722.21 to 3722.40 of the 646  
Revised Code. 647

(C) A hospital shall not establish policies that, directly 648  
or indirectly, discourage a registered nurse or any other person 649  
from disclosing information as authorized by sections 3722.21 to 650  
3722.40 of the Revised Code. 651

(D) A hospital shall not intimidate a registered nurse or 652  
any other person who makes public statements regarding hospital 653  
staffing. 654

**Sec. 3722.39.** (A) With respect to the practice of 655  
registered nursing, particularly in relation to a hospital's 656  
nurse staffing plan implemented under section 3722.22 of the 657  
Revised Code, the general assembly recognizes all of the 658  
following: 659

(1) All registered nurses have a duty and right to act 660  
based on their professional judgment and in accordance with the 661  
statutes and rules that apply to their practice. 662

(2) All registered nurses have the duty and right to 663  
provide care in the exclusive interests of their patients. 664

(3) All registered nurses have the duty and right to act 665  
as advocates for their patients. 666

(B) In recognizing the matters described in division (A) 667  
of this section, the general assembly finds that a registered 668  
nurse, before the nurse may accept a patient assignment, is 669  
responsible for determining all of the following: 670

(1) Whether the nurse has the necessary professional 671  
knowledge, judgment, skills, and ability to care for the 672  
patient; 673

(2) Whether the nurse is competent to provide the required 674  
care; 675

(3) Whether accepting the assignment would create harm for 676  
either the patient or the nurse. 677

**Sec. 3722.40.** As a means of increasing transparency and 678  
accountability regarding hospital nurse staffing plans 679  
implemented under section 3722.22 of the Revised Code, both of 680  
the following apply: 681

(A) On a semi-annual basis, each hospital shall prepare 682  
and make publicly available a report that includes a description 683  
of the hospital's staffing levels in relation to its nurse 684  
staffing plan, a description of any deviations from the plan 685  
that occurred under section 3722.26 of the Revised Code, and a 686  
summary of each meeting held by the hospital's nurse staffing 687  
committee under section 3722.23 of the Revised Code. 688

(B) The department of health shall maintain an internet 689  
web site dashboard that displays information regarding the 690  
extent to which hospitals are in compliance with their nurse 691  
staffing plans and all other provisions that apply to hospitals 692  
under sections 3722.21 to 3722.40 of the Revised Code. The 693  
dashboard may be included as a part of the department's general 694  
web site, but regardless of whether it is included in this 695  
manner or maintained separately, the dashboard shall be made 696  
accessible to the public. 697

**Sec. 4723.489.** A person not otherwise authorized to 698  
administer drugs may administer a drug to a specified patient if 699  
all of the following conditions are met: 700

(A) The authority to administer the drug is delegated to 701  
the person by an advanced practice registered nurse who is a 702  
clinical nurse specialist, certified nurse-midwife, or certified 703  
nurse practitioner and holds a license issued under section 704

4723.42 of the Revised Code. 705

(B) The drug is not listed in the formulary established in 706  
rules adopted under section 4723.50 of the Revised Code, is not 707  
a controlled substance, and is not to be administered 708  
intravenously. 709

(C) The drug is to be administered at a location other 710  
than a any of the following: 711

(1) A hospital inpatient care unit,~~as defined in section~~ 712  
~~3727.50 of the Revised Code; a~~ 713

(2) A hospital emergency department or a freestanding 714  
~~emergency department; or an~~ 715

(3) An ambulatory surgical facility,~~as defined in~~ 716  
licensed under section 3702.30 of the Revised Code. 717

(D) The person has successfully completed education based 718  
on a recognized body of knowledge concerning drug administration 719  
and demonstrates to the person's employer the knowledge, skills, 720  
and ability to administer the drug safely. 721

(E) The person's employer has given the advanced practice 722  
registered nurse access to documentation, in written or 723  
electronic form, showing that the person has met the conditions 724  
specified in division (D) of this section. 725

(F) The advanced practice registered nurse is physically 726  
present at the location where the drug is administered. 727

**Sec. 4730.203.** (A) Acting pursuant to a supervision 728  
agreement, a physician assistant may delegate performance of a 729  
task to implement a patient's plan of care or, if the conditions 730  
in division (C) of this section are met, may delegate 731  
administration of a drug. Subject to division (D) of section 732

4730.03 of the Revised Code, delegation may be to any person. 733  
The physician assistant must be physically present at the 734  
location where the task is performed or the drug administered. 735

(B) Prior to delegating a task or administration of a 736  
drug, a physician assistant shall determine that the task or 737  
drug is appropriate for the patient and the person to whom the 738  
delegation is to be made may safely perform the task or 739  
administer the drug. 740

(C) A physician assistant may delegate administration of a 741  
drug only if all of the following conditions are met: 742

(1) The physician assistant has been granted physician- 743  
delegated prescriptive authority and is authorized to prescribe 744  
the drug. 745

(2) The drug is not a controlled substance. 746

(3) The drug will not be administered intravenously. 747

(4) The drug will not be administered in a-any of the 748  
following locations: 749

(a) A hospital inpatient care unit,~~as defined in section~~ 750  
~~3727.50 of the Revised Code; a-~~ 751

(b) A hospital emergency department,~~or a freestanding~~ 752  
~~emergency department; or an-~~ 753

(c) An ambulatory surgical facility licensed under section 754  
3702.30 of the Revised Code. 755

(D) A person not otherwise authorized to administer a drug 756  
or perform a specific task may do so in accordance with a 757  
physician assistant's delegation under this section. 758

**Sec. 4772.092.** (A) Acting pursuant to a supervision 759

agreement, a certified mental health assistant may delegate 760  
performance of a task to implement a patient's plan of care or, 761  
if the conditions in division (C) of this section are met, may 762  
delegate administration of a drug. Subject to division (D) of 763  
section 4772.03 of the Revised Code, delegation may be to any 764  
person. The certified mental health assistant must be physically 765  
present at the location where the task is performed or the drug 766  
administered. 767

(B) Prior to delegating a task or administration of a 768  
drug, a certified mental health assistant shall determine that 769  
the task or drug is appropriate for the patient and the person 770  
to whom the delegation is to be made may safely perform the task 771  
or administer the drug. 772

(C) A certified mental health assistant may delegate 773  
administration of a drug only if all of the following conditions 774  
are met: 775

(1) The certified mental health assistant has been granted 776  
physician-delegated prescriptive authority by the physician 777  
supervising the certified mental health assistant and is 778  
authorized to prescribe the drug. 779

(2) The drug is not a controlled substance. 780

(3) The drug will not be administered intravenously. 781

(4) The drug will not be administered in a any of the 782  
following: 783

(a) A hospital inpatient care unit,~~as defined in section~~ 784  
~~3727.50 of the Revised Code; a~~ 785

(b) A hospital emergency department,~~or a freestanding~~ 786  
~~emergency department; or an~~ 787

(c) An ambulatory surgical facility licensed under section 788  
3702.30 of the Revised Code. 789

(D) A person not otherwise authorized to administer a drug 790  
or perform a specific task may do so in accordance with a 791  
certified mental health assistant's delegation under this 792  
section. 793

**Section 2.** That existing sections 3333.28, 3722.01, 794  
4723.489, 4730.203, and 4772.092 of the Revised Code are hereby 795  
repealed. 796

**Section 3.** That sections 3727.50, 3727.51, 3727.52, 797  
3727.53, 3727.54, 3727.55, 3727.56, and 3727.57 of the Revised 798  
Code are hereby repealed. 799

**Section 4.** Not later than one year after the effective 800  
date of this section, the Director of Health, in consultation 801  
with the Board of Nursing and the Department of Higher 802  
Education, shall prepare a report containing recommendations for 803  
ensuring that sufficient numbers of nurses are available in this 804  
state to meet the hospital nurse staffing requirements 805  
established under sections 3722.21 to 3722.40 of the Revised 806  
Code. On completion of the report, the Director shall submit 807  
copies to the General Assembly in accordance with section 101.68 808  
of the Revised Code. 809

**Section 5.** All items in this act are hereby appropriated 810  
as designated out of any moneys in the state treasury to the 811  
credit of the designated fund. For all operating appropriations 812  
made in this act, those in the first column are for fiscal year 813  
2026 and those in the second column are for fiscal year 2027. 814  
The operating appropriations made in this act are in addition to 815  
any other operating appropriations made for these fiscal years. 816

**Section 6.** 817  
818

| 1 | 2                                      | 3                                     | 4            | 5            |
|---|----------------------------------------|---------------------------------------|--------------|--------------|
| A | BOR DEPARTMENT OF HIGHER EDUCATION     |                                       |              |              |
| B | Dedicated Purpose Fund Group           |                                       |              |              |
| C | 5BA1 235683                            | Nursing Student Loan-to-Grant Program | \$10,000,000 | \$10,000,000 |
| D | TOTAL DPF Dedicated Purpose Fund Group |                                       | \$10,000,000 | \$10,000,000 |
| E | TOTAL ALL BUDGET FUND GROUPS           |                                       | \$10,000,000 | \$10,000,000 |

NURSING STUDENT LOAN-TO-GRANT PROGRAM 819

The foregoing appropriation item 235683, Nursing Student 820  
Loan-to-Grant Program, shall be used by the Chancellor of Higher 821  
Education to support the Nursing Student Loan-to-Grant Program 822  
pursuant to section 3333.27 of the Revised Code. 823

An amount equal to the unexpended, unencumbered balance of 824  
the foregoing appropriation item 235683, Nursing Student Loan- 825  
to-Grant Program, at the end of fiscal year 2026 is hereby 826  
reappropriated for the same purpose in fiscal year 2027. 827

**Section 7.** Within the limits set forth in this act, the 828  
Director of Budget and Management shall establish accounts 829  
indicating the source and amount of funds for each appropriation 830  
made in this act, and shall determine the manner in which 831  
appropriation accounts shall be maintained. Expenditures from 832  
operating appropriations contained in this act shall be 833  
accounted for as though made in, and are subject to all 834  
applicable provisions of, H.B. 96 of the 136th General Assembly. 835

**Section 8.** On the effective date of this section, or as 836  
soon as possible thereafter, the Director of Budget and 837  
Management shall transfer \$20,000,000 cash from the General 838  
Revenue Fund to the Nursing Student Loan-to-Grant Fund (Fund 839  
5BA1). 840

**Section 9.** This act shall be known as the Ohio Nurse 841  
Workforce and Safe Patient Act. 842