

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 521

Representatives Lett, Cockley

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

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
<u>Sec. 3722.22. (A) A hospital shall develop a nurse</u>	269
<u>staffing plan that provides adequate, appropriate, and quality</u>	270
<u>delivery of health care services and protects patient safety.</u>	271
<u>The hospital's plan shall address all recommendations the</u>	272
<u>hospital receives from its nurse staffing committee created</u>	273
<u>under section 3722.23 of the Revised Code.</u>	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
Revise 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