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5221 North O'Connor Blvd., Suite 1400, Irving, TX 75039

Chairman Stein, Vice Chair Johnson, Ranking Member Lepore-Hagen and members of the House Commerce and Labor Committee,

Founded in 2016, ShiftKey is a digital platform enabling nurses and other healthcare professionals to seamlessly connect with healthcare facilities to fill empty shifts. ShiftKey facilitates a two-sided marketplace where facilities in need of temporary healthcare workers can post open shifts, and independent providers can view and select convenient shifts while setting their preferred hourly rate. To date, we've helped hundreds of Ohio healthcare facilities fill nearly 30,000 shifts, providing opportunities for nearly 2,000 professionals looking to find flexible, independent work.

Given the overwhelming nursing shortage that Ohio is currently facing, ShiftKey is looking to help solve this crisis by bringing more nursing professionals into the workforce by offering providers the ability to work on their own terms- choosing when, where, and how often they work. ShiftKey also allows independent healthcare professionals to bid the rate they prefer to be paid, creating a transparent, two-sided, marketplace. Tech-driven platforms like ShiftKey help facilities meet the immediate need of filling shifts that are not being filled by full time staff, enabling facilities to focus on providing quality care to their patients. By providing a true online marketplace for posting and finding open shifts, as well as verifying provider credentials, conducting background checks, and more, ShiftKey removes friction for healthcare facilities and makes it simple for facilities and providers to connect.

ShiftKey does not have nurses or facilities sign non-competes. We never recruit full-time staff away from nursing homes and other health care facilities- we have never called a building to recruit nurses or other healthcare professionals. Nurses find us largely through digital marketing and word of mouth from happy ShiftKey users. Our relationship with facilities is critical- we don't engage in practices that would harm those relationships.

ShiftKey ensures that nurses on the platform are properly certified and credentialed based on the needs of the shift they're looking to fill. Facilities post shifts based on the specialty they need, such as a Registered Nurse (RN) or Certified Nurse Assistant (CNA), and only providers who are licensed and credentialed for that specialty can view those open shifts. ShiftKey provides access to Occupational Accident Insurance and Medical Malpractice/Professional Liability coverage that applies to all providers while on a shift booked using the platform.

Some further clarity on how the ShiftKey platform works might be helpful. Nurses can view open shifts for which they are licensed and certified and can bid on a shift with the pay rate they would like to receive- given how hard our nurses work, we believe in empowering these heroes to set their rate of pay – ShiftKey does not set these rates. Facilities have fixed rates with ShiftKey- no surprises, no fluctuation. The facility is not exposed to the bidding process as their rate does not change. They are empowered simply to choose the healthcare worker they want, knowing the cost if fixed. There is a shift rate and a premium rate for shifts that may be harder to fill. These two rates are determined during the contracting process with the facility and is 100% transparent. All shifts with



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associated rates are posted by someone at the facility, not ShiftKey. Based on the rates of the facility, there is a range of pay that is available to a nurse provider- this protects the providers by not allowing the process of undercutting or a “race to the bottom” and also protects facilities by not allowing exorbitant rates or any gaming to happen. The facility also has to approve any shift requests, giving them the opportunity to choose who fills the shift, and for what cost. If the facility has one of their staff members that becomes available to fill a shift, they can cancel with ShiftKey without penalty. To reiterate – ShiftKey provides transparent pricing, which is documented in contracts, and, for every single shift filled through ShiftKey, an authorized staff person at the healthcare facility posts a requested shift at one of two pre-arranged rates. reviews and approves the costs – for every single shift. There are no surprises.

Finally, on the proposed legislation: we have concerns that this misguided proposal would not only arbitrarily cap the pay of Ohio’s frontline workers, it would also restrict platforms like ShiftKey from operating in the state. Requiring that all workers be employees will not help solve the long term issues the healthcare industry is facing. Nurses and healthcare facilities need more flexibility and choice, not less. Nursing professionals have been pushed to the brink- they love their work and love caring for patients, but the conditions they have been under are unsustainable. ShiftKey offers a solution- enable providers to work on their own terms, with 100% transparency and approval of all costs by facilities. Capping provider pay and forcing them to be employees will not make the situation in Ohio better. Ohio needs more healthcare professionals to support its residents, and platforms like ShiftKey can help provide access to nurses who may not want full time work, who may not be able to work a set schedule, or who may have previously retired. By providing the flexibility to choose work on a shift by shift basis, platforms like ShiftKey give licensed professionals the opportunity to get back into the workforce.

ShiftKey opposes this legislation- we believe it is important for care facilities in Ohio to be able to use platforms like ours to fill open shifts in a transparent and flexible way. And we believe in allowing freedom and flexibility for nursing professionals to choose how to best meet the needs of their patients and their own families. ShiftKey also believes that nursing homes and facilities needing care for their patients should have the ability to choose how best to fill open shifts. Passing this legislation would force ShiftKey to cease operations in the state, leaving Ohio’s residents in an even more critical position. We hope to continue the productive dialogue that we’ve had so we can help craft a solution that best meets the needs of everyone involved. The legislation before you today does not reflect those discussions, or what is best for the state of Ohio and its citizens, and ShiftKey opposes it.