



Alaska State Legislature

Representative Peggy Wilson
House District 2

SPONSOR STATEMENT **HB 50**

“An Act relating to limitations on overtime for registered nurses and licensed practical nurses in health care facilities and providing for an effective date.”

Nurses are working excessive amounts of hours without adequate rest. This creates an unsafe work environment for patients and nurses. Mandatory overtime is one of the main reasons nurses leave nursing. Recent studies indicate that one in five nurses is considering leaving the profession. When polled on their reasons for leaving, mandatory overtime is always listed in the top ten. The purpose of HB 50 is to promote better patient and nurse safety and to create an environment that will keep nurses at the bedside.

HB 50 would prohibit mandatory overtime. Mandatory overtime hours are those hours above an agreed upon, predetermined, regularly scheduled shift, which the employer makes compulsory (as opposed to voluntary). The threat of reprisals includes but is not limited to discharge, discipline, demotion or assignment to unattractive tasks or work shifts or in some cases licensure removal, retaliatory reporting, and charges of “patient abandonment”.

The bill does not ban overtime. The bill allows nurses to work up to 14 consecutive hours, but then requires a rest period of at least 10 hours.

HB 50 allows for a number of exceptions to these requirements, including school nurses on field trips, nurses working on medivac flights, and if needed, for an unforeseen emergency that could jeopardize patient safety such as natural disasters or disease outbreaks. Facilities may declare a “temporary nurse staffing emergency” of up to 30 days. A report shall be filed by the facility Administrator with the Department of Labor and Workforce Development that describes the efforts used to avoid the staffing emergency. Additionally all federal and native facilities have been exempted.

There are 15 other states that have adopted similar requirements, including Washington, Oregon and California. Most of these versions restrict nurses to only 12 consecutive hours, with a mandated rest period of 12 hours.

HB 50 addresses these problems in a reasonable and balanced manner, while making the work environment safer. It will also help to retain nurses instead of giving them reason to leave the state or retire early.