

~~WHEREAS, Due to higher patient acuity levels, an aging population, and myriad other factors, the extraordinary demands placed on nurses today need to be recognized and respected; and~~

~~WHEREAS, The nursing shortage, combined with an increasing demand for patient care in a variety of settings, presents a continuous challenge to assure appropriate levels of nurse staffing, particularly in settings which must be staffed 24 hours a day, 7 days a week; and~~

~~WHEREAS, Common sense and emerging research, including an Institute of Medicine report called "To Err is Human - Building a Safe Health System" published in November of 1990, confirm that nursing staff shortages and excessive overtime may lead to an increased incidence of errors that injure patients; and now, therefore,~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:~~

~~Article Health Occupations~~

~~§ 102.~~

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) "INVOLUNTARY OVERTIME" MEANS WORK THAT EXCEEDS REGULARLY SCHEDULED HOURS ACCORDING TO THE PREDETERMINED WORK SCHEDULE.~~

~~(3) "RETRIBUTION" MEANS THE DISCHARGE, SUSPENSION, DEMOTION, HARASSMENT, DENIAL OF EMPLOYMENT, DENIAL OF PROMOTION, LAYOFF, OR OTHER ADVERSE ACTION TAKEN BY A HOSPITAL AN EMPLOYER AGAINST A NURSE IN RESPONSE TO THE FILING OF A COMPLAINT.~~

~~(B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NURSES WHO ARE EMPLOYED IN HEALTH FACILITIES IN THE STATE HAVE THE EDUCATION, PROFESSIONAL LICENSES, TRAINING, SKILL, AND UNIT ORIENTATION NECESSARY TO PERFORM THEIR JOBS.~~

~~(C) NURSES IN THE STATE HAVE THE FOLLOWING RIGHTS:~~

~~(1) THE RIGHT TO BE TREATED WITH CONSIDERATION, RESPECT, AND FULL RECOGNITION OF THEIR PROFESSIONAL STATUS AND THE SIGNIFICANT CONTRIBUTION THAT THEY MAKE TO THE HEALTH AND WELL BEING OF THEIR PATIENTS;~~

~~(2) THE RIGHT TO COLLABORATE AND BE ACTIVELY INVOLVED WITH THE MANAGEMENT OF THE HEALTH FACILITY IN ORDER TO RESOLVE ISSUES BEFORE THESE SAME ISSUES IMPACT PATIENT SAFETY OR BECOME A CAUSE OF DISSATISFACTION FOR STAFF;~~

~~(3) THE RIGHT TO SERVE ON HEALTH FACILITY COMMITTEES DEALING WITH ISSUES INCLUDING APPROPRIATE BED UTILIZATION, PURCHASING, PHARMACY AND THERAPEUTICS, ETHICS, PATIENT SAFETY, PRODUCTS ISSUES, HUMAN~~