HB 1155 / SB 5190 Needed to Keep Patients Safe by Addressing Nurse Fatigue

HB 1155 / SB 5190, which address uninterrupted rest breaks and close the mandatory overtime loophole for nurses, should be passed to address immediate patient safety concerns arising from fatigue. Unlike HB 1714 which passed two years ago and ensures greater transparency and accountability in nurse staffing committees, this legislations changes the standard for nursing from “intermittent” to “uninterrupted” breaks – to guarantee that nurses and other health care workers will receive the rest breaks that they are entitled to under law.

Missed meal and rest breaks dangerous for patients

Missing meal and rest breaks is unsafe for patients and leads to health care worker fatigue and burnout. Fatigue is defined as “the body’s response to sleep loss or to prolonged physical or mental exertion”.¹

It is well documented that nurse fatigue is dangerous for patients.

- The risk of medication and other errors increases significantly after 8 hours of work and is even higher after 12.5 hours of work.ii
- The rate of employee accidents increases after 9 hours of work and doubles after 12 hours of work.iii
- Critical care nurses who experienced fatigue are more likely to report “decision regret’, a concern that they might have made the wrong decision for a patient.iv
- Among critical care nurses, error reports almost doubled after 12.5 or more consecutive hours of work.v
- Nurses fatigue is “strongly associated with negative impact on nurses’ health and the quality of the patient care they provide”.vi

Missed meal and rest breaks lead to nurse burnout

Nursing turnover rates nationally average about 14% per year for bedside nurses and as much as 20% per year for medical-surgical nurses.vii

- A 2016 study published in the Journal of Nursing Management found that policies that “encourage breaks are a prerequisite for improving nurses’ satisfaction and retention”.viii
- A 2018 study published by the Journal of Occupational and Environmental Medicine found that effective policies, programs, and practices that enhance worker safety, such as ensuring meal and rest breaks, contribute to improvements in enterprise outcomes like worker turnover and health care costs.
- A 2017 article by the American Academy of Nursing on Policy urged employers to recognize the role of shift work, long shifts, and nurse fatigue on turnover, absenteeism, patient safety, and related costs.ix

State law is needed to create a safe health care environment for patients and nurses by ensuring health care workers receive their meal and rest breaks, and by closing the mandatory overtime loophole.

A 2016 study published in the Journal of Nursing Management found that lack of regulations mandating rest breaks contributed to nurses’ note getting enough rest – and noted that “in the absence of such formal stipulations, healthcare facilities often fail to ensure that staff are getting adequate rest”.x

Required rest periods have been a standard approach to fatigue management in other high-risk occupations, such as airline pilots, truck drivers, and other shift workers.xi Employers have a legal obligation to provide a safe and healthy work environment. This is why nursing union lawsuits over missed meal and rest breaks have been successfully litigated against hospital after hospital. But all patients and nurses in Washington state deserve the same protections as patients in those hospitals that have been court-ordered to provide breaks.
It’s time the Washington State Legislature passed HB 1155 / SB 5190 to protect both patients and workers.

2 Ibid.
3 Ibid.
4 Ibid.