

2SHB 2956 - H AMD 1526

By Representative Williams

WITHDRAWN 3/09/2010

1 On page 22, after line 4, insert the following:

2

3 "NEW SECTION. Sec. 18. (1) A hospital receiving any funds from the
4 hospital safety net assessment fund created under section 3 of this
5 act must, as a condition of receiving the funds, provide employees
6 uninterrupted thirty-minute meal breaks and rest breaks of at least
7 ten minutes or as otherwise agreed to be provided by the employer,
8 whichever is longer, unless there is:

9 (a) An unforeseeable emergent circumstance as defined in RCW
10 49.28.130; or

11 (b) A clinical circumstance that may lead to patient harm without
12 the specific skill or expertise of the employee on break.

13 (2) Rest breaks may be taken at any point during each four-hour
14 work period during which the employee is required to receive the rest
15 break.

16 (3) As an exception to the rest break requirement of subsection
17 (1) of this section, an employee may choose to take shorter rest
18 breaks equivalent to at least ten minutes during each four-hour work
19 period on a temporary basis.

20 (4) Reporting a missed break is not grounds for discrimination,
21 dismissal, discharge, or any other penalty, threat of reports for
22 discipline, or employment decision adverse to the employee.

23 (5) For purposes of this section, "employee" means a person who is
24 involved in direct patient care activities or clinical services,
25 receives an hourly wage, and is a:

26 (a) Licensed practical nurse or a registered nurse licensed under
27 chapter 18.79 RCW;

- 1 (b) Surgical technologist registered under chapter 18.215 RCW;
2 (c) Radiologic technologist certified under chapter 18.84 RCW;
3 (d) Respiratory care practitioner licensed under chapter 18.89
4 RCW;
5 (e) Cardiovascular technologist or technician who conducts tests
6 on pulmonary or cardiovascular systems of patients for diagnostic
7 purposes; or
8 (f) Diagnostic medical sonographer who produces ultrasonic
9 recordings of internal organs."

10
11 Renumber the remaining sections consecutively and correct any
12 internal references accordingly.
13

EFFECT: Requires hospital receiving any funds from the hospital safety net assessment fund to provide certain employees with uninterrupted meal and rest breaks.

Defines "employee" as a licensed practical nurse or a registered nurse; surgical technologist; radiologic technologist; respiratory care practitioner; cardiovascular technologist or technician; or diagnostic medical sonographer.

Provides exceptions to the uninterrupted meal and rest break requirements if there is: an unforeseeable emergent circumstance; or a clinical circumstance that may lead to patient harm without the specific skill or expertise of the employee on break.

Allows rest breaks to be taken at any point during a four hour work period.

Establishes that reporting a missed break is not grounds for employment decisions adverse to the employee.

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