

BUDDY UP FOR BREAKS & LUNCH?



Is it Worth Risking Patient Care & Our RN License?

At our recent Patient Care Committee meeting, CNO Phyllis Bushart announced that she will be asking RNs to “buddy up” to relieve each other for breaks and lunch. Tarzana 121RN Chapter President Jim Owen responds:

Our Union contends that the Hospital has incorrectly interpreted Title 22 by asking RNs to buddy up and break each other for rest and meal periods.

Title 22, Section 70217: Nothing in this section (the section which discusses ratios) shall prohibit a licensed nurse from assisting with specific tasks within the scope of his or her practice assigned to another nurse. “Assist” means that licensed nurses may provide patient care beyond their patient assignments if the tasks performed are specific and time limited.

We believe that taking care of someone else’s patients for breaks and lunch is neither specific nor time-limited as defined under Title 22. Our Union believes the hospital has taken this section out of context.

What does Title 22 say? Title 22 says that nurses are supposed to be in ratio at all times.

Licensed nurse-to-patient ratios represent the maximum number of patients that shall be assigned to one licensed nurse at any one time. “Assigned” means the licensed nurse has responsibility for the provision of care to a particular patient within his/her scope of practice. There shall be no averaging of the number of patients and the total number of licensed nurses on the unit during any one shift nor over any period of time. Only licensed nurses providing direct patient care shall be included in the ratios.

Nurse Administrators, Nurse Supervisors, Nurse Managers, and Charge Nurses, and other licensed nurses shall be included in the calculation of the licensed nurse-to-patient ratio only when those licensed nurses are engaged in providing direct patient care. When a Nurse Administrator, Nurse Supervisor, Nurse Manager, Charge Nurse or other licensed nurse is engaged in activities other than direct patient care, that nurse shall not be included in the ratio. Nurse Administrators, Nurse Supervisors, Nurse Managers, and Charge Nurses who have demonstrated current competence to the hospital in providing care on a particular unit may relieve licensed nurses during breaks, meals, and other routine, expected absences from the unit.

WHEN IS ONE MORE PATIENT TOO MANY?

When **both** of the following conditions exist:

- You are already at or above the maximum number of patients per Title 22 in your area.
- In your professional judgment, taking the additional patients will be unsafe either for that patient or for the other patients already in your care.

RN Responsibilities: According to the BRN, “Before accepting a patient assignment, the RN must have the necessary knowledge, judgment, skills, and ability to provide the required care.” Ability must include the necessary time to provide adequate care for all patients for whom the nurse has accepted assignment.



The legal standard of competent performance: Title 16 of the California Code of regulations (1443.5) requires direct observation of the patient by the RN, as well as responsibility for analyzing, synthesizing and evaluating patient data. An RN should have the necessary time to competently perform these tasks for all patients for whom they have accepted responsibility.

TIPS ON HOW TO SAY “NO”

Emphasize your professional judgment. For example, you could say “Unfortunately, I am unable to buddy with you right now (for breaks and lunch) because, in my professional judgment, accepting this additional patient potentially jeopardizes the safety and standard of care of the patients already under my care.” Repeat as necessary.

Suggest alternatives to care for the extra patient(s). For example, propose floating a qualified RN into your unit, or asking a Nurse Manager/Supervisor to take direct-care responsibility for the patient(s).

Know your rights! If the manager/supervisor continues to pressure you, and you cannot resolve the dispute, or you have a reasonable belief that you will be disciplined, call your Union steward at once. It is your right. Remember to tell your manager/supervisor that you are **willing and able** to accept a “safe” patient assignment.

Draw the line. Remember, it is your **right and your professional duty** to draw the line on assignments when patient safety is at risk.

WHAT SHOULD YOU DO?

- Tell your buddy you would love to relieve them but can’t because you are taking care of your own patients.
- Fill out a no break / no lunch form when you are not safely relieved for a break or lunch. If you don’t get paid, you will need to have a steward grieve it.
- Fill out an ADO form and fax to (818) 760 – 8039.
- Keep careful notes of discussions and who you talked to about unsafe assignments.