

Phase two amendments to the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015*

Frequently asked questions

What further changes are being made to the Safe Patient Care Act?

At the 2018 State election, the Andrews Labor Government committed to a second phase of amendments to the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015* (the Act) to further strengthen and protect nurse to patient and midwife to patient ratios.

To progress this work, the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2020* (the Bill) was successfully passed by the Victorian Parliament on 10 November 2020.

The new amendment Act – *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Act 2020* – aims to complement the first phase of amendments to the Act that passed Parliament in February 2019 and commenced operation in March 2019. Phase two amendments include:

- applying the new rounding methodology to shifts and wards not included in the first phase; such as the:
 - morning and afternoon shift in aged high care residential wards,
 - night shift in rehabilitation wards,
 - all shifts in acute stroke, haematology and oncology wards.
- establishing in-charge arrangements in:
 - medical/surgical wards (level 1, 2 and 3 hospitals), postnatal wards, special care nurseries and geriatric evaluation management (GEM) wards on the night shift,
 - birthing suites on the afternoon and night shift,
 - short stay observation (SSO) areas on the night shift where the SSO area is co-located with an emergency department (ED) listed in Schedule 3 Part 1 of the Act, and where the combined SSO and ED has 30 or more beds.
- amending the After Hours coordinator requirements such that, despite anything to the contrary in the Act, the operator of a Level 4 hospital with one or two wards must staff the hospital with one After Hours Coordinator in addition to ratios (i.e. supernumerary to ratios) if that hospital operates a nominated birthing suite or an ED with greater than 2500 presentations per annum.
- reclassifying Warrnambool Hospital from a level 3 to a Level 2 hospital in Schedule 1 in response to evolving community need.

Why are further changes to the Safe Patient Care Act necessary?

Amendments to the Act reflect a continuous improvement process to ensure minimum safe nursing and midwifery staffing ratios are fit for purpose and acknowledge increasing patient complexity, changing models of care and the growing demand for health services.

When will the changes come into effect?

Phase two amendments will be implemented in a phased approach. The first stage comes into effect on 1 March 2021. Further information about the schedule will be available in the updated Guide to implementation available for download at the [Safe Patient Care Act webpage](#).

Who will be affected by the changes?

The Act applies to operators of specified wards within certain publicly funded health facilities. This includes services covered by the Nurses and Midwives (Victorian Public Health Sector) (Single Interest Employers) Enterprise Agreement 2016–2020.

What are the likely staffing requirements?

The government has projected the further ratio amendments will require over 500 additional nurses and midwives working within the public hospital system.

Will the additional nurses and midwives be funded?

The 2019-20 State Budget committed \$64.4 million over four years to support the implementation of phase two amendments to the Act.

What support is available to develop the workforce?

The Department of Health and Human Services will continue administering workforce programs that promote attraction, retention, training and skill development opportunities for new and experienced nurses and midwives. This includes the programs supported through the \$50 million Nursing and Midwifery Workforce Development Fund (the Fund).

The Fund will expand the existing registered nurse and midwife graduate program and support up to 400 places in postgraduate programs and up to 400 postgraduate scholarships for current nurses and midwives to upgrade their skills.

In addition, it will enable health services to provide a graduate program for 400 enrolled nurses, 800 refresher programs and up to 150 places for nurses undertaking postgraduate study in midwifery through the employment model.

The Fund will prioritise \$10 million for grants, scholarships, graduate jobs and refresher programs for students and current nurses and midwives located in rural and regional areas.

How will the Department of Health and Human Services support implementation of the further changes?

Recognising the potential overlap of implementation requirements from phase one and phase two, the Department of Health and Human Services will provide updates at key stakeholder forums and publish a Guide to Implementation to assist hospital operators to understand their obligations under the new amendments.

Where can I find further information?

Updates, as available, will be published on the [Safe Patient Care Act webpage](#)

Questions can be directed to: ratios@dhhs.vic.gov.au