



**Minnesota Hospital Association**

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August 13, 2014

Ms. Linda Hamilton, RN, BSN  
President  
Minnesota Nurses Association  
345 Randolph Ave. #200  
St. Paul MN 55102

Dear Ms. Hamilton:

I write to express my concerns about the Minnesota Nurses Association's (MNA) [August 8 communications](#) regarding the union's "[Concern for Safe Staffing Form](#)" process. I have raised concerns about this process with you before (Aug. 2, 2011), and hospital chief nurse executives have tried to work with your bargaining units on this process.

As you know, under Minnesota's condition of licensure, nurses are obligated to report instances in which "the delegation of a nursing function . . . could reasonably be expected to result in unsafe or ineffective patient care" to the office of the Minnesota Department of Health's Office of Health Facility Complaints. Minn. Stat. sec. 148.261, subd. 1(8). Failure to fulfill these reporting obligations constitutes grounds for disciplinary action by the Minnesota Board of Nursing, as well as civil penalties. See Minn. Stat. sec. 148.261, subd. 1; sec. 148.263, subd. 7. These obligations are above and beyond any reporting requirements hospitals have as a condition of employment.

If a nurse has concerns about the safety or quality of care, the Health Department and the hospital would want to conduct an appropriate investigation in real time. That is not possible when a form is submitted exclusively to the union or to a legislator. Your communications appear to create the impression that filling out a form for the union is sufficient.

If a nurse wants to provide the form to a supervisor, your instruction states that the detailed description or explanation will NOT be included on the copy that can be given to the supervisor. In short, MNA's process prevents nurse leaders and supervisors from getting the information they would need to investigate any allegations or address any legitimate concerns. As explained on your online form, the complete submission is emailed to MNA, but you lead your members to believe that conveying their concerns to their supervisors is entirely optional: "You may choose to provide this form to your manager/supervisor/ administrator or not."

MHA and our members appreciate the importance of nurses having opportunities and processes to provide meaningful feedback and express concerns if the need arises. After all, it is in everyone's – especially the patient's – best interest to address any quality and safety issues in the most collaborative manner possible.

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This is why hospitals already have processes or protocols in place for nurses or other staff to raise patient safety concerns. MNA's actions implicitly discourage nurses from using these existing, effective reporting processes. MNA attempts to redirect any concerns away from those who could take action to investigate and address any legitimate issues to instead use them for the union's political activity. Your communication creates confusion for nurses, nurse managers and administrators about whether real patient safety information is being shared in an expected and appropriate manner so it can be acted upon in real time.

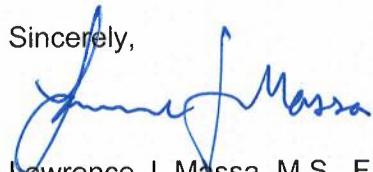
Unfortunately, MNA is solely interested in imposing government mandated nurse staffing quotas to advance its national union's political agenda. Apparently, allowing hospitals, the Board of Nursing or the Office of Health Facility Complaints to actually address any legitimate concerns is not useful for this political agenda.

On behalf of Minnesota's hospitals and health systems, I urge you to correct and clarify nurses' reporting obligations under state law in your communications, and to share any information sent to MNA via the "Concern for Safe Staffing Form" with the respective hospitals as soon as they are submitted. Absent this or any other proactive steps by MNA, hospitals are challenged to address any potentially legitimate needs or concerns that might be raised by well-meaning nurses.

In every hospital across our state, nurses play an integral role in delivering the high caliber of care that has established Minnesota as a national leader in quality and safe health care year after year. Every day there are countless examples of RNs, LPNs, physicians and administrators working together to build upon our past success, strive for continuous improvement, address any problems and identify innovative solutions all in the interest of serving our patients. Health care today demands this level of coordination and communication from all members of the care delivery team.

As always, MHA stands committed to pursuing meaningful, positive improvements in Minnesota's health care system and is willing to work with you when you are ready to put patients' interests above your national union's political agenda.

Sincerely,



Lawrence J. Massa, M.S., FACHE  
President and CEO