

NY governor vetoes RN circulator bill

New York State Governor George Pataki vetoed a bill (A 7837) Aug 16 that would have required an RN circulator in each OR for the entire operation.

The governor said he vetoed the measure because the state health department advised him “the vast majority of hospitals in the state already employ RNs as circulators,” but the department thought it was premature to impose a mandate “pending a review of the available workforce.”

New York regulations

Pataki said there was concern some rural hospitals in upstate New York might not be able to find enough RNs. The bill had passed both houses of the Legislature overwhelmingly. Overriding the veto would be difficult because the Legislature has recessed until after the fall elections, observers said.

New York’s current regulations say licensed practical nurses and surgical technologists may assist in circulating under the supervision of an RN who is immediately available to respond to emergencies.

New York is one of 10 states where the Association of periOperative Registered Nurses (AORN) is pursuing legislation to strengthen circulator language. The others are Florida, Georgia, Maryland, North Carolina, Ohio, Virginia, Pennsylvania, South Carolina, and Washington.

According to AORN, about 20 states currently require an RN circulator in each OR, though AORN thinks some regulations could be stronger. (An update on state regs is on the AORN web site at www.aorn.org. Look under Government Affairs.)

Pataki’s concern about a nursing shortage has been the state’s “response to any of our proposals related to staffing,” said Nancy Webber, spokesperson for the New York State Nurses Association, which supported the bill. “They may have perceived this as another staffing mandate.” Like other state associations, NYSNA is seeking legislation to mandate nurse-to-patient ratios.

The state’s latest workforce study, conducted in 2002, found there was a nursing shortage in every county in the state, and 20% of nurses said they planned to leave within 5 years.

OR directors say supply adequate

OR directors *OR Manager* contacted in upstate New York say they are not having problems recruiting OR RNs, though they are in rural areas.

Recruiting OR RNs “is not an issue” at Samaritan Medical Center in Watertown, NY, near the Canadian border, says Susan Gornall, RN, MSN, CNOR, interim OR director. With a large military base and a school of nursing, the area’s labor supply has been adequate, she says. Across the state in Plattsburgh, NY, an OR director says her OR has no vacancies.

As elsewhere, lack of faculty is hurting the ability to prepare RNs. At a tea for 40 nursing students from the nearby community college, Gornall said it was announced that 3,000 candidates could not get into nursing schools in New York because there are not enough teachers.

New York’s Legislature recently approved \$4 million in new funding for scholarships and loans for RNs who plan to teach nursing.

OR staffing in rural hospitals

ORs in rural hospitals face challenges similar to all hospitals, staffing results from the *OR Manager* Salary / Career survey show (September *OR Manager*.) (See p 7.)

Fewer rural hospitals report an OR nursing shortage, but more say they are hav-

ing a difficult time recruiting RNs. Rural hospitals also report a somewhat higher vacancy rate and a longer time to fill vacancies.

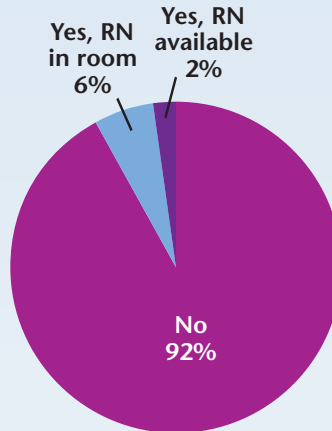
But very few rural respondents—4%, fewer than respondents overall—said surgical technologists (STs) or licensed practical or vocational nurses (LPNs or LVNs) were circulating, either with the RN in the room or immediately available. None reported STs, LPNs, or LVNs were circulating on their own. In comparison, 8% of all respondents said STs, LPNs, or LVNs were circulating with an RN in the room or immediately available. ❖

Information about New York Bill A 7837 is at <http://assembly.state.ny.us/leg/?bn=A07837>

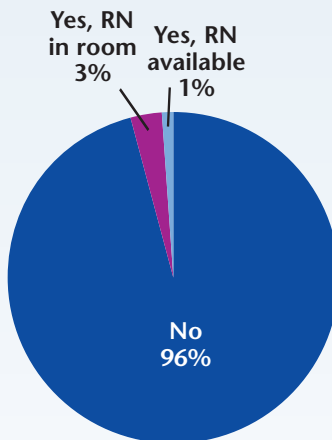
OR staffing in rural hospitals

Do surgical techs circulate?

Overall

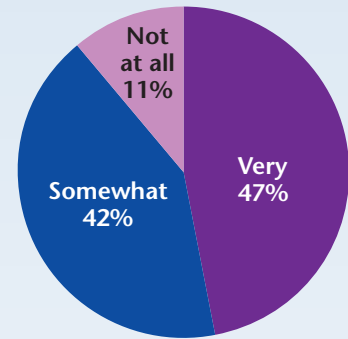


Rural hospitals

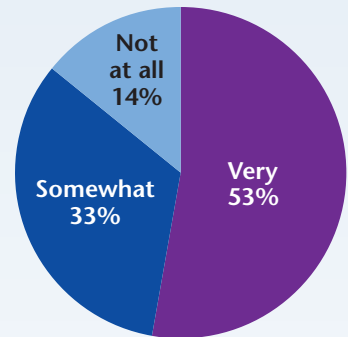


Is recruiting experienced OR nurses difficult?

Overall



Rural hospitals



Do not have an OR nursing shortage

| | |
|------------------------|-----|
| Overall | 37% |
| Rural hospitals | 48% |

| | Overall | Rural |
|---|---------|-------|
| Percent of budgeted FTE positions open | 7% | 9% |
| Average number of weeks positions have been open | 12.6 | 16.9 |
| Average staff turnover rate (Percent of staff who have left and been replaced in past year) | 7% | 7% |

Source: OR Manager Salary/Career Survey, 2006.