The Victorian Government has delivered on its election commitment and has enshrined Nurse and Midwife to Patient Ratios in law.

The **Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015** ensures the number of nurses and midwives per patient are preserved and protected.

Victoria is the first state in Australia to legislate nurse and midwife to patient ratios. This means that all Victorians accessing public hospitals can be assured that wards will be staffed with a minimum number of nurses or midwives.

This is landmark patient safety legislation for Australia and arguably the most comprehensive nursing and midwifery staffing Act anywhere in the world.

### What are Nurse and Midwife to Patient Ratios?

Ratios help determine the number of patients allocated to a nurse or midwife, and vary depending on the type of hospital, ward, and the type of care being delivered.

For example, a medical or surgical ward at a major metropolitan hospital will have at least one nurse rostered for every four patients during the day, with the addition of another nurse to be in-charge of the ward. A nominated residential aged care facility in that same hospital would have at least one nurse rostered for every seven residents in the morning, with the addition of another nurse to be in-charge of the facility.

The ratios can however be implemented in a flexible way, taking into consideration the care requirements of individual patients. So, in some circumstances, one nurse may take responsibility for caring for fewer very unwell, complex patients, while another nurse may care for more patients that are less complex.

### Do all public hospitals have the same number of nurses on each shift?

No, there is some flexibility in the new legislation according to type of wards and health services. The flexibility allows for hospitals to have variations in nursing levels based on the time required to care for different types of patients in different clinical settings.

This will mean that patients will experience different levels of nursing and midwife staffing depending on the hospital, type of ward, and time of day.

### Why have Nurse and Midwife to Patient Ratios been legislated?

The Victorian Government has delivered on its election promise to legislate Nurse to Patient and Midwife to Patient Ratios to ensure quality care and better outcomes for patients.

Worldwide evidence shows a direct correlation between nursing staffing levels and better nursing-related patient outcomes, such as reduced falls and pressure ulcers.

This new law:
• Preserves the amount of time nurses and midwives can spend caring for each of their patients, resulting in better health outcomes for Victorians; and
• Protects the ratios of nurses and midwives to patients from being threatened in future enterprise bargaining negotiations.

In which healthcare settings does the legislation apply?
This legislation only applies to certain wards within Victoria’s public hospitals.
Services that are not covered by this new legislation include:
• public day admission and procedural wards
• public mental health services
• public low and mixed care residential aged care services
• private and not-for-profit hospitals,
• private and not-for-profit residential aged care services, and
• private and not-for-profit day procedural centres.

When did the legislation take effect?
The legislation came into effect on 23 December 2015.

How does the new legislation affect my stay in hospital?
There is evidence from Australia and around the world that confirms that when nurses have more time to provide care to patients, then the risk of patients having an unintended complication or event – like falling or developing a pressure ulcer – is far less than if patients are left unattended.
The new law means that minimum nursing numbers are protected by law, thereby enhancing the safety and quality of care you receive within our public hospitals.
You can be assured that public hospitals must provide the minimum level of nurses in all wards now and into the future.

What happens if hospitals don’t follow the legislation?
The legislation contains a range of measures to ensure hospitals adhere to nurse to patient and midwife to patient ratios.
An alleged breach can be referred to the Magistrates’ Court if it cannot be resolved at a local level.
Furthermore, the Secretary of the Department of Health & Human Services will have the ability to direct operators of hospitals to comply with the new legislation, and operators of hospitals must comply with the directive.

How much will this new legislation cost the Victorian Government annually?
This new law enshrines what is already currently in place in Victoria’s public hospitals and the legislation has been designed to ensure there is no extra financial burden on the Government, hospitals or the Victorian taxpayer.