

Bill No. SB 2208

Barcode 441646

CHAMBER ACTION

Senate

House

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The Committee on Health Regulation (Aronberg) recommended the following amendment:

Senate Amendment

On page 2, line 28, through
page 5, line 14, delete those lines

and insert: in its membership members of the nursing staff from various units of the facility;

2. Analysis of the risk of injury to patients, nurses, and health care workers posed by the patient-handling and moving needs of the patient populations served by the hospital and the physical environment in which patient handling and movement occurs;

3. Evaluation of alternative ways to reduce risks associated with patient handling and moving, including evaluation of equipment and the environment;

4. Establishment of a program that will eliminate manual lifting, moving, and repositioning of patients, which poses risks of injury based on current research and practice;

5. Establishment of a patient-handling hazard

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1 assessment. This assessment must consider such variables as
2 patient-handling tasks, types of nursing units, patient
3 populations, and the physical environment of patient care
4 areas;

5 6. Development of a process to identify the
6 appropriate use of the safe patient handling policy based on
7 the patient's physical and medical condition and the
8 availability of lifting equipment or lift teams;

9 7. Acquisition of, training with, and deployment of
10 sufficient equipment and aids so that manual lifting,
11 repositioning, or movement of all or most of a patient's
12 weight is restricted to emergency, life-threatening, or
13 otherwise exceptional circumstances;

14 8. Adoption of procedures for a nurse to employ in
15 order to refuse to perform, or be involved in, patient
16 handling or movement that the nurse believes in good faith
17 will expose a patient or the nurse to an unacceptable risk of
18 injury;

19 9. Submission of an annual report to the governing
20 body of the hospital and the agency on activities related to
21 the identification, assessment, and development of strategies
22 to control risk of injury to patients, nurses, and other
23 health care workers associated with the lifting, transferring,
24 repositioning, or movement of a patient;

25 10. Development of a process to identify the
26 appropriate use of the safe patient handling policy based on
27 the patient's physical and medical condition and the
28 availability of lifting equipment or lift teams;

29 11. An annual performance evaluation of the program to
30 determine its effectiveness, with the results of the
31 evaluation reported to the safe patient handling committee.

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1 The evaluation shall determine the extent to which
 2 implementation of the program has resulted in a reduction in
 3 claims of musculoskeletal disorders and days of lost work
 4 attributable to musculoskeletal disorders caused by patient
 5 handling, and include recommendations to increase the
 6 program's effectiveness;

7 12. Publication of the policy, a plan for implementing
 8 the program, and publication of the results of an annual
 9 evaluation that uses data analysis to measure the success of
 10 the program; and

11 13. Consideration of the feasibility of incorporating
 12 patient handling and movement equipment, or the physical space
 13 and construction design needed to incorporate that equipment
 14 at a later date, when developing architectural plans for
 15 constructing or remodeling a hospital, or a unit of a hospital
 16 in which patient handling and movement occurs.

17 (3) A hospital may not penalize, discriminate against,
 18 or retaliate in any manner against an employee with respect to
 19 compensation for, or terms, conditions, or privileges of,
 20 employment if such an employee in good faith, individually or
 21 in conjunction with another person or persons:

22 (a) Reports a violation or suspected violation of this
 23 section to a regulatory agency, a private accrediting body,
 24 or management personnel of the hospital;

25 (b) Initiates, cooperates in, or otherwise
 26 participates in an investigation or proceeding brought by a
 27 regulatory agency or private accrediting body concerning
 28 matters covered by this section;

29 (c) Informs or discusses violations or suspected
 30 violations of this section with any other employee, with any
 31 representative of an employee, or with the public; or