

By Senator Fasano

11-00791-09

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1                   A bill to be entitled  
2           An act relating to patient lifting and handling  
3           practices; creating s. 381.029, F.S.; providing a  
4           definition; requiring hospitals to establish a policy  
5           concerning the lifting and handling of patients by  
6           hospital employees; requiring a committee to develop  
7           the policy; providing for membership and duties of the  
8           committee; requiring continuing evaluation of the  
9           policy; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13           Section 1. Section 381.029, Florida Statutes, is created to  
14 read:

15           381.029 Patient lifting and handling practices.-

16           (1) As used in this section, the term "hospital" means a  
17 health care facility licensed under chapter 395.

18           (2) A hospital shall establish an evidence-based policy  
19 regarding the safe lifting and associated handling of patients  
20 by hospital employees that minimizes the risk of injuries to  
21 patients and employees. The policy shall be developed by a  
22 committee composed of an appropriate mix of management and  
23 nonmanagement employees, including registered nurses engaged in  
24 direct patient care. The hospital may assign the task of  
25 developing the policy to a newly created committee or to an  
26 existing committee.

27           (3) The committee shall:

28           (a) Use data to evaluate the risk of injury to patients and  
29 employees.

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30       (b) Determine the appropriateness of alternative strategies  
31 for lifting and handling patients based on the population of  
32 patients at the hospital and identified hospital-specific risk  
33 factors. At a minimum, the committee shall consider:

34           1. Using mechanical lifting devices or other engineering  
35 controls that minimize the need to lift and handle the patient  
36 manually.

37           2. Using teams to lift and handle patients.

38           3. Providing training in safe lifting and handling  
39 practices for employees engaged in caring for patients.

40           4. Incorporating physical space and construction design for  
41 mechanical lifting devices in architectural plans for  
42 construction or renovation of the hospital.

43       (c) Develop an ongoing evaluation process to determine the  
44 effectiveness of the policy established under this section.

45       Section 2. This act shall take effect October 1, 2009.