

HOUSE RESEARCH

Bill Summary

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Overview

This bill establishes the requirements for safe patient handling programs at health care facilities. It appropriates \$2,000,000 per year through 2010 to the commissioner of labor and industry for safe patient handling grants.

Section

1 Citation. Adds § 182.6551. Gives this section the title "Safe Patient Handling Act."

2 Definitions. Adds § 182.6552. Defines terms for this section.

Subd. 1. Direct patient care worker. Defines "direct patient care worker" as an individual who directly provides physical care to patients, including nurses.

Subd. 2. Emergency. Defines "emergency" as a situation where failing to manually lift the patient would result in serious injury or death to the patient.

Subd. 3. Health care facility. Defines "health care facility" as a hospital, medical facility, nursing home, outpatient clinic or physician's office.

Subd. 4. Safe patient handling. Defines "safe patient handling" as a new process that uses equipment, rather than people, to transfer and move patients, and reduces injuries to employees and patients.

Subd. 5. Safe patient handling equipment. Defines "safe patient handling equipment" as engineering controls, lifting and transfer aids, or mechanical assistive devices used to move patients, instead of manual lifting.

Subd. 6. Safety officer. Defines "safety officer" as an employee of a health care

facility whose job it is to maintain the safety of patients and employees.

3 Safe patient handling program. Adds § 182.6553.

Subd. 1. Safe patient handling program required. Requires all licensed health care facilities to implement a safe patient handling program to eliminate manual lifting by January 1, 2010. Provides an exception for emergency situations. Lists requirements for safe handling programs, including the following:

- Establishment of a safe patient handling committee, as described in subdivision 2, below
- A patient handling hazard assessment to consider patient handling tasks, patient populations, identification of problems and solutions
- The purchase, use and maintenance of appropriate safe patient handling equipment
- Compensated training for nurses and direct patient care workers
- Annual evaluations of the safe patient handling program by the committee
- Procedures to ensure construction and remodeling plans that incorporate safe patient handling

Subd. 2. Safe patient handling committee. (a) Requires licensed health care facilities to establish a safe patient handling committee.

(b) Sets out requirements for membership of the committee, including the following:

- At least half must be non-managerial nurses and direct patient care workers.
- In facilities where nurses and patient care workers are represented by a collective bargaining agreement, the union will select some members of the committee.
- Other members must have experience, expertise or responsibility relevant to the operation of the safe patient handling program.

4 Appropriation for safe patient handling grants. Appropriates \$2,000,000 each year through fiscal year 2010 from the assigned risk safety account to the commissioner of labor and industry for grants to health care facilities for safe patient handling equipment. Allows these grants to be used for training staff on safe patient handling and use of safe patient handling equipment. Requires grantees to match grant money dollar-for-dollar. Requires the maximum grant award not exceed 50 percent of the total project, up to a maximum of \$40,000.

5 Workers' compensation special fund transfer. Transfers an unspecified amount of money from the special compensation fund to the assigned risk safety account for safe patient handling projects in health care facilities.

6 Rules. Requires the commissioner of labor and industry to make certain changes to the Minnesota Rules, chapter 5203, including the following:

- Add safe patient handling projects at health care facilities, regardless of number of employees or size of facility, to the list of proposal preferences.
- Increase the maximum safety grant award to 50 percent of project costs up to a maximum of \$40,000.

7 Enforcement. Requires the OSHA Compliance Division of the Department of Labor and Industry to enforce the Safe Patient Handling Act.

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Study. Requires the commissioner of labor and industry to conduct a study on ways to reduce workers' compensation premium rates to create financial incentives for facilities to purchase safe patient handling equipment.