

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

Subd. 3. Safe patient handling. Defines "safe patient handling" as a process that uses equipment, rather than people, to transfer and move patients, and reduces injuries to employees and patients.

Subd. 4. 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.

3 Safe patient handling program. Adds § 182.6553.

Subd. 1. Safe patient handling program required. Requires all licensed health care

facilities to adopt a safe patient handling policy to minimize manual lifting by January 1, 2008. Lists requirements for safe handling programs, including:

- assessment of hazards relating to patient handling
- an adequate supply of safe patient handling equipment
- training for nurses and direct patient care workers
- procedures to ensure construction plans are consistent with program goals
- periodic evaluations of the program

Subd. 2. Safe patient handling committee. (a) Requires licensed health care facilities to establish a safe patient handling committee by July 1, 2008.

(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

(c) Allows health care organizations with one or more facilities to have a committee at each or one to serve all the facilities. Specifies member requirements if the organization uses one committee.

(d) States that employees who serve must be compensated for their hours.

Subd. 3. Facilities with existing programs. States that facilities that currently have a policy, and a committee, are considered to be in compliance. Requires that these committees satisfy the requirements set out in subdivision 2.

Subd. 4. Committee duties. Specifies the duties of the committees, including, but not limited to, the following:

- complete a patient handling assessment
- make recommendations relating to equipment, training and procedures

Subd. 5. Training materials. Requires the commissioner to develop training materials on implementation of this section.

4 Enforcement. Requires the commissioner of labor and industry to enforce the Safe Patient Handling Act.

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

- 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.

6 Study. Requires the commissioner of labor and industry to study workers' compensation insurers and compliance with these safe handling programs. Requires the commissioner to report the results to the legislature by January 15, 2008.

7 Appropriation for safe patient handling grants. Appropriates an unspecified amount of money in fiscal years 2008 and 2009 from general fund 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.