

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 677 (Delegate Murray, *et al.*)
Health and Government Operations

Hospital Patient Safety and Awareness Act

This bill specifies information that hospitals must provide to patients and requires hospitals to establish a patient assistance system.

Fiscal Summary

State Effect: Any operational impact on the Office of Health Care Quality is expected to be minimal and could be handled with existing budgeted resources. The bill does not apply to a hospital owned or operated by the Department of Health and Mental Hygiene (DHMH).

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires all hospital clinical staff and clinical trainees to wear badges clearly stating the individual's name, department, and job or trainee title. The information must be clearly visible and stated in terms or abbreviations likely to be understood by the average person. The hospital must provide to each patient before or at the time of admission, written information that includes: (1) a description of the general role of clinical trainees in patient care; (2) a statement that the attending physician is the person responsible for the patient's care, and the patient's attending physician may change during the patient's hospitalization depending on the type of care or services required for the patient; (3) a description of the patient assistance system; and (4) a

statement describing generally whether medical students, interns, or resident physicians may be participating in a patient's care, making treatment decisions for the patient, or participating in or performing any surgery on the patient.

The bill specifies methods by which a patient may contact the attending physician, with help from the nurse. Each hospital must provide a patient assistance system through which a patient may access prompt assistance for the resolution of a patient's personal medical concerns. This system must include access to a telephone number, beeper number, or other means of allowing a patient to independently access the system.

A hospital may not be held liable in any cause of action arising under the bill's requirements. The bill may not be construed to preclude a claim that may have otherwise been asserted under common law or any other provision of law.

DHMH must adopt regulations to carry out the bill's requirements.

Current Law: Hospitals must make available to each patient a copy of the patient's bill of rights that the hospital has adopted. The patient's bill of rights must include a statement that a patient has a right to expect and receive appropriate assessment, management, and treatment of pain as an integral component of the patient's care.

There are other patient rights specified in law, regarding involuntary discharge or transfer, patient property, itemized financial statements, and other fee issues.

Each hospital in the State must ensure that its employees and any other individuals who provide a health care service within the hospital wear a personal identification tag that indicates in readable text: (1) the name of the individual; and (2) the professional or other title of the individual. DHMH may impose a fine of up to \$25 per violation.

Background: There are approximately 69 licensed hospitals in Maryland; all are accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO). While no federal regulations or JCAHO requirements require a patient advocate, many hospitals already have one.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene (Office of Health Care Quality), Department of Legislative Services

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