

HOUSE BILL 585

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8lr0554

By: **Delegates Pena-Melnyk, Ali, Benson, Braveboy, Bromwell, Costa, Donoghue, Griffith, Gutierrez, Hubbard, Huckler, Kipke, McDonough, Montgomery, Nathan-Pulliam, Oaks, Reznik, Robinson, Tarrant, V. Turner, Valderrama, and Weldon**

Introduced and read first time: January 31, 2008

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Homes – Safe Patient Lifting**

3 FOR the purpose of requiring nursing homes to establish a safe patient lifting
4 workgroup composed of certain members on or before a certain date; requiring
5 the workgroup to establish a safe patient lifting policy on or before a certain
6 date; requiring the workgroup to consider certain factors while developing a safe
7 patient lifting policy; defining a certain term; and generally relating to the safe
8 lifting of nursing home patients.

9 BY repealing and reenacting, without amendments,
10 Article – Health – General
11 Section 19–1401(a) and (e)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2007 Supplement)

14 BY adding to
15 Article – Health – General
16 Section 19–1410.1
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2007 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Health – General**

22 19–1401.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle, the following words have the meanings indicated.

2 (e) "Nursing home" means a facility (other than a facility offering domiciliary
3 or personal care as defined in Subtitle 3 of this title) which offers nonacute inpatient
4 care to patients suffering from a disease, chronic illness, condition, disability of
5 advanced age, or terminal disease requiring maximal nursing care without continuous
6 hospital services and who require medical services and nursing services rendered by or
7 under the supervision of a licensed nurse together with convalescent, restorative, or
8 rehabilitative services.

9 **19-1410.1.**

10 (A) IN THIS SECTION, "SAFE PATIENT LIFTING" MEANS THE USE OF
11 MECHANICAL LIFTING DEVICES BY NURSING HOME EMPLOYEES, INSTEAD OF
12 MANUAL LIFTING, TO LIFT, TRANSFER, AND REPOSITION PATIENTS.

13 (B) ON OR BEFORE DECEMBER 1, 2008, EACH NURSING HOME SHALL
14 ESTABLISH A SAFE PATIENT LIFTING WORKGROUP WITH EQUAL MEMBERSHIP
15 FROM MANAGEMENT AND EMPLOYEES.

16 (C) (1) ON OR BEFORE JULY 1, 2009, THE SAFE PATIENT LIFTING
17 WORKGROUP SHALL DEVELOP A SAFE PATIENT LIFTING POLICY FOR THE
18 NURSING HOME.

19 (2) THE GOAL OF THE POLICY SHALL BE TO REDUCE EMPLOYEE
20 INJURIES ASSOCIATED WITH PATIENT LIFTING.

21 (D) WHILE DEVELOPING A SAFE PATIENT LIFTING POLICY, THE
22 WORKGROUP SHALL CONSIDER, BASED ON THE PATIENT POPULATION OF THAT
23 NURSING HOME, THE APPROPRIATENESS AND EFFECTIVENESS OF:

24 (1) DEVELOPING OR ENHANCING PATIENT HANDLING HAZARD
25 ASSESSMENT PROCESSES;

26 (2) ENHANCED USE OF MECHANICAL LIFTING DEVICES;

27 (3) DEVELOPING SPECIALIZED LIFT TEAMS;

28 (4) TRAINING PROGRAMS FOR SAFE PATIENT LIFTING REQUIRED
29 FOR ALL PATIENT CARE PERSONNEL AT THE NURSING HOME;

30 (5) INCORPORATING PHYSICAL SPACE AND CONSTRUCTION
31 DESIGN FOR MECHANICAL LIFTING DEVICES IN ANY ARCHITECTURAL PLANS
32 FOR NURSING HOME CONSTRUCTION AND RENOVATION; AND

1 **(6) DEVELOPING AN EVALUATION PROCESS TO DETERMINE THE**
2 **EFFECTIVENESS OF THE POLICY.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2008.