

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~~ Weldon, Elliott, Hammen, Kullen, Morhaim, and Pendergrass**

Introduced and read first time: January 31, 2008

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 2008

CHAPTER _____

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)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article - Health - General**

4 19-1401.

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

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

13 **19-1410.1.**

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

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

20 ~~(C)~~ (B) (1) ON OR BEFORE JULY 1, 2009, THE SAFE PATIENT LIFTING
21 WORKGROUP SHALL DEVELOP A SAFE PATIENT LIFTING POLICY FOR THE
22 NURSING HOME.

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

25 ~~(D)~~ (C) WHILE DEVELOPING A SAFE PATIENT LIFTING POLICY, THE
26 WORKGROUP SHALL CONSIDER, BASED ON THE PATIENT POPULATION OF THAT
27 NURSING HOME, THE APPROPRIATENESS AND EFFECTIVENESS OF:

28 (1) DEVELOPING OR ENHANCING PATIENT HANDLING HAZARD
29 ASSESSMENT PROCESSES;

30 (2) ENHANCED USE OF MECHANICAL LIFTING DEVICES;

31 (3) DEVELOPING SPECIALIZED LIFT TEAMS;

1 **(4) TRAINING PROGRAMS FOR SAFE PATIENT LIFTING REQUIRED**
2 **FOR ALL PATIENT CARE PERSONNEL AT THE NURSING HOME;**

3 **(5) INCORPORATING PHYSICAL SPACE AND CONSTRUCTION**
4 **DESIGN FOR MECHANICAL LIFTING DEVICES IN ANY ARCHITECTURAL PLANS**
5 **FOR NURSING HOME CONSTRUCTION AND RENOVATION; AND**

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.