

BILL ANALYSIS

C.S.S.B. 1525
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Texas suffers from a shortage of nurses in both hospitals and nursing homes. This shortage could be partially addressed by instituting practices that will make the profession safer for nurses and patients.

The substitute encourages safe patient handling in the nursing work environment and by doing so creates a better, safer practice environment for nurses and their patients. Such an environment will help attract and retain nurses and also help nurses extend their careers in direct patient care. The substitute applies to hospitals and nursing homes because that is where most high-risk patient handling occurs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The substitute defines "hospital" and "nursing home" and requires the governing body of a hospital or the quality assurance committee of a nursing home to adopt and ensure implementation of a policy to identify, assess, and develop strategies to control risk of injury to patients and nurses associated with lifting, transferring, repositioning, or movement of a patient.

The substitute provides minimum requirements to include: an analysis of the risk of injury to both patients and nurses posed by the patient handling needs of the patient populations served by the hospital or nursing home and the physical environment in which patient handling and movement occurs, education of nurses in the identification, assessment, and control of risks of injury to patients and nurses during patient handling, evaluation of alternative ways to reduce risks associated with patient handling, including evaluation of equipment and the environment, restriction of manual patient handling or movement of all or most of a patient's weight to emergency, life-threatening, or otherwise exceptional circumstances, collaboration with and annual report to the nurse staffing committee, procedures for nurses to refuse to perform or be involved in patient handling or movement that involves unacceptable risk of injury, submission of an annual report to the governing body or the quality assurance committee, and consideration of the feasibility of incorporating patient handling equipment or the physical space and construction design needed to incorporate that equipment into architectural plans for construction or remodeling at a hospital or nursing home in which patient handling and movement occurs, which may be used at a later date.

EFFECTIVE DATE

January 1, 2006.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by specifying that adoption and implementation of the policy in a nursing home is to be done by the home's quality assurance committee.