

BILL ANALYSIS

Senate Research Center

S.B. 1525
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

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.

S.B. 1525 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. S.B. 1525 applies to hospitals and nursing homes because that is where most high-risk patient handling occurs.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle B, Title 4, Health and Safety Code, by adding Chapter 256, as follows:

CHAPTER 256. SAFE PATIENT HANDLING AND MOVEMENT PRACTICES

Sec. 256.001. DEFINITIONS. Defines "hospital" and "nursing home."

Sec. 256.002. REQUIRED SAFE PATIENT HANDLING AND MOVEMENT COMMITTEE. (a) Requires the governing body of a hospital or nursing home to appoint a safe patient handling and movement practices committee 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. Authorizes the committee to function as a subcommittee of an existing safety committee so long as the requirements of this section are met.

(b) Requires the committee to include a majority of representatives that are nurses involved in patient handling and movement. Requires the remaining members of the committee to be persons with expertise and experience relevant to safe patient handling and movement practices including health care management, purchasing, risk management, or occupational safety and health representatives.

(c) Sets forth requirements and duties of the committee.

Sec. 256.003. RESTRICTION ON MANUAL PATIENT HANDLING. Requires a hospital or nursing home to restrict, to the extent feasible with existing equipment and aids, manual patient handling or movement of all or most of a patient's weight to emergency, life-threatening, or otherwise exceptional circumstances.

Sec. 256.004. PROCEDURES FOR NURSES. Requires a hospital or nursing home to establish procedures for nurses to refuse to perform or be involved in patient handling or movement that the nurse believes in good faith will expose a patient or a nurse to an

unacceptable risk of injury. Prohibits a hospital or nursing home from retaliating against a nurse who follows the procedure.

Sec. 256.005. CONSTRUCTION OR REMODELING. Requires the governing body of a hospital or nursing home, in developing architectural plans for constructing or remodeling a hospital or nursing home unit in which patient handling and movement occurs, to evaluate the feasibility of incorporating patient handling equipment or the physical space and construction design needed to incorporate that equipment at a later date.

SECTION 2. Effective date: September 1, 2005.