

By: Zaffirini

S.B. No. 1525

A BILL TO BE ENTITLED

AN ACT

relating to safe patient handling and movement practices of nurses in hospitals and nursing homes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 4, Health and Safety Code, is amended by adding Chapter 256 to read as follows:

CHAPTER 256. SAFE PATIENT HANDLING AND MOVEMENT PRACTICES

Sec. 256.001. DEFINITIONS. In this chapter:

(1) "Hospital" means a general or special hospital, as defined by Section 241.003, a private mental hospital licensed under Chapter 577, or another hospital that is maintained or operated by the state.

(2) "Nursing home" means an institution licensed under Chapter 242.

Sec. 256.002. REQUIRED SAFE PATIENT HANDLING AND MOVEMENT POLICY. (a) The governing body of a hospital or nursing home shall adopt and ensure implementation of a policy to identify, assess, and develop strategies to control risk of injury to patients and nurses associated with the lifting, transferring, repositioning, or movement of a patient.

(b) The policy shall establish a process that, at a minimum, includes:

(1) analysis of the risk of injury to both patients and

1 nurses posed by the patient-handling needs of the patient  
2 populations served by the hospital or nursing home and the physical  
3 environment in which patient handling and movement occurs;

4 (2) education of nurses in the identification,  
5 assessment, and control of risks of injury to patients and nurses  
6 during patient handling;

7 (3) evaluation of alternative ways to reduce risks  
8 associated with patient handling, including evaluation of  
9 equipment and the environment;

10 (4) restriction, to the extent feasible with existing  
11 equipment and aids, of manual patient handling or movement of all or  
12 most of a patient's weight to emergency, life-threatening, or  
13 otherwise exceptional circumstances;

14 (5) collaboration with and annual report to the nurse  
15 staffing committee;

16 (6) procedures for nurses to refuse to perform or be  
17 involved in patient handling or movement that the nurse believes in  
18 good faith will expose a patient or a nurse to an unacceptable risk  
19 of injury;

20 (7) submission of an annual report to the governing  
21 body on activities related to the identification, assessment, and  
22 development of strategies to control risk of injury to patients and  
23 nurses associated with the lifting, transferring, repositioning,  
24 or movement of a patient; and

25 (8) in developing architectural plans for  
26 constructing or remodeling a hospital or nursing home or a unit of a  
27 hospital or nursing home in which patient handling and movement

1 occurs, consideration of the feasibility of incorporating  
2 patient-handling equipment or the physical space and construction  
3 design needed to incorporate that equipment at a later date.

4       SECTION 2. This Act takes effect January 1, 2006.