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 the quality
assurance committee of a 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
S.B. No. 1525

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

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

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

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

(6) 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;

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

(8) in developing architectural plans for constructing or remodeling a hospital or nursing home or a unit of a hospital or nursing home in which patient handling and movement
occurs, consideration of 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. This Act takes effect January 1, 2006.

President of the Senate
Speaker of the House
I hereby certify that S.B. No. 1525 passed the Senate on
April 20, 2005, by the following vote: Yeas 30, Nays 1; and that
the Senate concurred in House amendment on May 27, 2005, by the
following vote: Yeas 29, Nays 0.

Secretary of the Senate
I hereby certify that S.B. No. 1525 passed the House, with
amendment, on May 25, 2005, by a non-record vote.

Chief Clerk of the House

Approved:

Date

Governor