

CHAPTER 80

(House Bill 585)

AN ACT concerning

Nursing Homes – Safe Patient Lifting

FOR the purpose of requiring nursing homes to establish a safe patient lifting workgroup composed of certain members on or before a certain date; requiring the workgroup to establish a safe patient lifting policy on or before a certain date; requiring the workgroup to consider certain factors while developing a safe patient lifting policy; ~~defining a certain term~~; and generally relating to the safe lifting of nursing home patients.

BY repealing and reenacting, without amendments,
Article – Health – General
Section 19–1401(a) and (e)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Health – General
Section 19–1410.1
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

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

Article – Health – General

19–1401.

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

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

19–1410.1.

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

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

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

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

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

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

(2) ENHANCED USE OF MECHANICAL LIFTING DEVICES;

(3) DEVELOPING SPECIALIZED LIFT TEAMS;

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

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

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

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

Approved by the Governor, April 8, 2008.