

HB0640/196584/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 640

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 5 down through “fees” in line 11 and substitute “providing that a certain requirement does not prohibit a certain action; requiring certain facilities to have a written policy specifying a certain method; requiring certain facilities to ensure that certain staff are trained in the method”; and strike in their entirety lines 17 through 21, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike beginning with “IS” in line 28 on page 2 down through “AND” in line 1 on page 3.

On page 3, in line 14, after “COMMUNICATE” insert “DISTRESS”; and after line 16, insert:

“(D) NOTHING IN SUBSECTION (C)(4) OF THIS SECTION SHALL PROHIBIT STAFF FROM USING A TECHNIQUE FOR TRANSITIONING THE INDIVIDUAL TO A RESTRAINT POSITION THAT INVOLVES MOMENTARILY:

(1) PLACING AN INDIVIDUAL FACE DOWN; OR

(2) OBSTRUCTING THE VIEW OF AN INDIVIDUAL’S FACE.

(E) A FACILITY SHALL:

(1) HAVE A WRITTEN POLICY SPECIFYING THE METHOD USED TO ENSURE THAT AN INDIVIDUAL WHOSE PRIMARY LANGUAGE OR METHOD OF

(Over)

COMMUNICATION IS NONVERBAL IS ABLE TO EFFECTIVELY COMMUNICATE
DISTRESS DURING A PHYSICAL RESTRAINT OR HOLD; AND

(2) ENSURE THAT ALL STAFF AT THE FACILITY WHO ARE
AUTHORIZED TO PARTICIPATE IN A PHYSICAL RESTRAINT OR HOLD OF
INDIVIDUALS ARE TRAINED IN THE METHOD SPECIFIED IN THE WRITTEN POLICY
REQUIRED UNDER ITEM (1) OF THIS SUBSECTION.”;

in line 17, strike “(d)” and substitute “(F)”; and in line 19, strike “(e)” and substitute “(G)”.

On page 4, in line 16, strike “(f)” and substitute “(H)”; and in line 22, strike “(g)” and substitute “(I)”.

AMENDMENT NO. 3

On pages 4 through 7, strike in their entirety the lines beginning with line 24 on page 4 through line 5 on page 7, inclusive.