

## U.S. Federal and State Legislative Summary Safe Patient Handling/Ergonomics

Date: March 2, 2011

Two federal bills (H.R 2381 and S. 1788) entitled Nurses and Healthcare Worker Protection Act of 2009 were introduced in congress. A senate subcommittee hearing entitled “Safe Patient Handling & Lifting Standards for a Safer America” was held on May 11, 2010.

As of March 2, 2011, nine states have enacted safe patient handling legislation and one state has a safe patient handling demonstration project. Those states are as follows:

Comprehensive Program	Demonstration Project	Other
Illinois (2009) Minnesota (2009) Maryland (2007, 2008) New Jersey (2007) Rhode Island (2006) Texas (2006) Washington (2006)	New York (2005, 2007, 2009)	Ohio (2005) long term care loan fund program Hawaii (2006) resolution

Below is a snapshot of current legislative activity.

---

Master

---

### IL H 1684

**SPONSOR:** Lang (D)

**COSPONSOR(S):** Currie (D)

**TITLE:** Risk of Injury to Hospital Patients and Staff

**DISPOSITION:** Pending

**LOCATION:** House Health Care Licenses Committee

**SUMMARY:** Amends the Hospital Licensing Act; in the list of provisions to be incorporated into hospital policies regarding the risk of injury to patients and nurses and other health care workers associated with the lifting, transferring, repositioning, or movement of a patient, includes the primacy of maintaining patient dignity, self-determination, and choice and consideration of the feasibility of incorporating patient handling equipment or the physical space and construction design needed.

02/15/2011 INTRODUCED.

**STATUS:** 02/16/2011 To HOUSE Committee on RULES.

02/22/2011 To HOUSE Committee on HEALTH CARE LICENSES.

**Date:** 11

**Issue:** Ergonomics

---

**MA H 1484**

**AUTHOR:** Garlick (D)  
**TITLE:** Safe Patient Handling Policy  
**DISPOSITION:** Pending  
**LOCATION:** HOUSE  
**SUMMARY:** Provides that certain health facilities be directed to establish a safe patient handling policy, so-called.  
01/20/2011 INTRODUCED.  
**STATUS:** 01/20/2011 Filed as House Docket 1709  
02/16/2011 To JOINT Committee on PUBLIC HEALTH.  
**Date:** 11  
**Issue:** Ergonomics

---

**MA HD 1709**

**AUTHOR:** Garlick (D)  
**TITLE:** Safe Patient Handling in Certain Health Facilities  
**DISPOSITION:** Pending  
**LOCATION:** HOUSE  
**SUMMARY:** Relates to safe patient handling in certain health facilities.  
01/20/2011 FILED.  
**STATUS:** 01/20/2011 Assigned HOUSE Bill No. 1484  
**Date:** 11  
**Issue:** Ergonomics

---

**ME H 359**

**LD:** 466  
**AUTHOR:** Celli (R)  
**TITLE:** Hospitals and Employee Illness Programs  
**DISPOSITION:** Pending  
**LOCATION:** Joint Committee on Health and Human Services  
**SUMMARY:** Requires hospitals to adopt employee illness and Injury Prevention Programs and to provide lift teams and to require reduced workers compensation insurance rates for those hospitals.  
02/09/2011 INTRODUCED.  
02/09/2011 Filed as LR 696  
**STATUS:** 02/10/2011 HOUSE refers to JOINT Committee on HEALTH AND HUMAN SERVICES.  
02/10/2011 SENATE refers to JOINT Committee on HEALTH AND HUMAN SERVICES in concurrence.  
**Date:** 11  
**Issue:** Ergonomics

---

**MI H 4128**

**SPONSOR:** Jacobsen (R)  
**TITLE:** Ergonomic Regulations  
**DISPOSITION:** Pending  
**LOCATION:** House Regulatory Reform Committee  
**SUMMARY:** Prohibits ergonomic regulations under certain circumstances.  
01/20/2011 INTRODUCED.  
**STATUS:** 01/20/2011 To HOUSE Committee on REGULATORY REFORM.  
**Date:** 11  
**Issue:** Ergonomics

---

**MI S 20**

**SPONSOR:** Jones Ri (R)  
**TITLE:** Workplace Ergonomics  
**DISPOSITION:** Pending  
**LOCATION:** Senate Consideration of House Amendments  
**SUMMARY:** Prohibits promulgation of rules regarding workplace ergonomics.  
01/19/2011 INTRODUCED.  
01/19/2011 To SENATE Committee on ECONOMIC DEVELOPMENT.  
02/10/2011 From SENATE Committee on ECONOMIC DEVELOPMENT:  
Recommended as substitute (S-1)  
02/10/2011 In SENATE. To second reading.  
02/10/2011 In SENATE. Read second time and committee substitute  
adopted. (S-1) To third reading.  
**STATUS:** 02/10/2011 In SENATE. Read third time. Passed SENATE. \*\*\*\*\*To  
HOUSE.  
02/10/2011 To HOUSE Committee on REGULATORY REFORM.  
02/16/2011 From HOUSE Committee on REGULATORY REFORM:  
Reported with recommendation with substitute. (H-1)  
02/16/2011 In HOUSE. To second reading.  
02/23/2011 In HOUSE. Read second time and committee substitute  
adopted. (H-1) To third reading.  
02/24/2011 In HOUSE. Read third time. Passed HOUSE. \*\*\*\*\*To  
SENATE for concurrence.  
**Date:** 11  
**Issue:** Ergonomics

---

**MO S 39**

**SPONSOR:** Wright-Jones (D)  
**TITLE:** Hospital Patient Safety  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health, Mental Health, Seniors and Families Committee  
**SUMMARY:** Modifies provisions relating to hospital patient safety; provides that each

hospital is required to establish a patient safety committee to design and recommend the process for implementing a safe patient handling program.

12/01/2010 PREFILED.

01/05/2011 INTRODUCED.

**STATUS:**

01/12/2011 To SENATE Committee on HEALTH, MENTAL HEALTH, SENIORS AND FAMILIES.

**Date:** 11

**Issue:** Ergonomics

---

**MS HR 11**

**AUTHOR:** Evans J (D)

**TITLE:** Ergonomic Practices

**DISPOSITION:** Pending

**LOCATION:** House Rules Committee

**SUMMARY:** Urges businesses and industries to help protect the health, well-being and investment made in the state's workforce by implementing ergonomic practices and programs proven to prevent and relieve musculoskeletal disorders.

01/17/2011 INTRODUCED.

**STATUS:**

01/17/2011 To HOUSE Committee on RULES.

**Date:** 11

**Issue:** Ergonomics

---

**MS S 2148**

**AUTHOR:** Dearing (D)

**TITLE:** Patient Safety Act

**DISPOSITION:** Failed

**LOCATION:** Died

**SUMMARY:** Enacts the Mississippi Patient Safety Act; requires the development of a patient safety program for hospitals, ambulatory surgical centers and mental hospitals; requires hospitals, ambulatory surgical centers and mental hospitals to annually report to the state health officer a listing of certain errors or occurrences; provides whistle-blower protection to certain employees.

01/04/2011 INTRODUCED.

**STATUS:**

01/04/2011 To SENATE Committee on PUBLIC HEALTH AND WELFARE.

02/01/2011 Died in committee.

**Date:** 11

**Issue:** Ergonomics

---

**NY A 664**

**SPONSOR:** Gottfried (D)

**TITLE:** Ceiling Lifts in Hospitals and Nursing Homes

**DISPOSITION:** Pending

**LOCATION:** Assembly Health Committee  
**SUMMARY:** Requires installation and use of ceiling lifts in hospitals and nursing homes.  
01/04/2011        PREFERRED.  
01/04/2011        To ASSEMBLY Committee on HEALTH.  
**STATUS:** 01/05/2011        INTRODUCED.  
01/05/2011        To ASSEMBLY Committee on HEALTH.  
**Date:** 11  
**Issue:** Ergonomics

---

#### NY A 1370

**SPONSOR:** Lancman (D)  
**TITLE:** Safe Patient Handling Act  
**DISPOSITION:** Pending  
**LOCATION:** Assembly Codes Committee  
**SUMMARY:** Enacts the "safe patient handling act".  
01/05/2011        INTRODUCED.  
01/05/2011        To ASSEMBLY Committee on HEALTH.  
**STATUS:** 01/19/2011        From ASSEMBLY Committee on HEALTH.  
01/19/2011        To ASSEMBLY Committee on CODES.  
02/16/2011        Amended in ASSEMBLY Committee on CODES.  
**Date:** 11  
**Issue:** Ergonomics

---

#### NY S 217

**SPONSOR:** Maziarz (R)  
**TITLE:** Safe Patient Handling Task Force  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee  
**SUMMARY:** Creates the New York state safe patient handling task force.  
12/13/2010        PREFERRED.  
12/13/2010        To SENATE Committee on HEALTH.  
**STATUS:** 01/05/2011        INTRODUCED.  
01/05/2011        To SENATE Committee on HEALTH.  
**Date:** 11  
**Issue:** Ergonomics

---

#### NY S 239

**SPONSOR:** Maziarz (R)  
**TITLE:** Ceiling Lifts in Hospitals  
**DISPOSITION:** Pending  
**LOCATION:** Senate Health Committee

**SUMMARY:** Requires installation and use of ceiling lifts in hospitals and nursing homes.  
12/13/2010           PREFILED.  
12/13/2010           To SENATE Committee on HEALTH.  
**STATUS:** 01/05/2011       INTRODUCED.  
01/05/2011       To SENATE Committee on HEALTH.  
**Date:** 11  
**Issue:** Ergonomics

---

**NY S 2470**

**SPONSOR:** Maziarz (R)  
**TITLE:** New York State Safe Patient Handling Task Force  
**DISPOSITION:**  
**LOCATION:** Senate Health Committee  
**SUMMARY:** Creates the New York state safe patient handling task force.  
01/21/2011       INTRODUCED.  
**STATUS:** 01/21/2011       To SENATE Committee on HEALTH.  
02/16/2011       Amended in SENATE Committee on HEALTH.  
**Date:** 11  
**Issue:** Ergonomics

---

Note: This summary was compiled from information provided by the American Industrial Hygiene Association (AIHA), American Nurses Association (ANA) and other sources.