



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1684

by Rep. Lou Lang

SYNOPSIS AS INTRODUCED:

210 ILCS 85/6.25

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 (1) the primacy of maintaining patient dignity, self-determination, and choice and (2) consideration of the feasibility of incorporating patient handling equipment or the physical space and construction design needed to incorporate that equipment in conjunction with federal handling equipment or the physical space and construction design needed to incorporate that equipment and federal guidelines known as Access to Medical Care for Individuals With Mobility Disabilities. Makes other changes. Effective on January 1, 2012.

LRB097 09868 RPM 50025 b

1 AN ACT concerning health facilities.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Hospital Licensing Act is amended by
5 changing Section 6.25 as follows:

6 (210 ILCS 85/6.25)

7 Sec. 6.25. Safe patient handling policy.

8 (a) In this Section:

9 "Health care worker" means an individual providing direct
10 patient care services who may be required to lift, transfer,
11 reposition, or move a patient.

12 "Nurse" means an advanced practice nurse, a registered
13 nurse, or a licensed practical nurse licensed under the Nurse
14 Practice Act.

15 (b) A hospital must adopt and ensure implementation of a
16 policy to identify, assess, and develop strategies to control
17 risk of injury to patients and nurses and other health care
18 workers associated with the lifting, transferring,
19 repositioning, or movement of a patient. The policy shall
20 establish a process that, at a minimum, includes all of the
21 following:

22 (1) The primacy of maintaining patient dignity,
23 self-determination, and choice.

1 (1.5) ~~(1)~~ Analysis of the risk of injury to patients
2 and nurses and other health care workers documented ~~posted~~
3 by the patient handling needs of the patient populations
4 served by the hospital and the physical environment in
5 which the patient handling and movement occurs.

6 (2) Education of direct patient care workers ~~nurses~~ in
7 the identification, assessment, and control of risks of
8 injury to patients and ~~nurses and other~~ health care workers
9 during patient handling.

10 (3) Evaluation of alternative ways to reduce risks
11 associated with patient handling, including evaluation of
12 equipment and the environment in light of applicable
13 federal guidelines.

14 (4) Restriction, to the extent feasible with
15 federally-required ~~existing~~ equipment and aids, of manual
16 patient lifting, handling, or movement of all or most of a
17 patient's weight unless the patient or patient's legal
18 representative provides informed consent and a trained
19 safe-lifting team and policy is present and available
20 ~~except for emergency, life-threatening, or otherwise~~
21 ~~exceptional circumstances~~.

22 (5) Collaboration with and an annual report to the
23 nursing administrators ~~nurse staffing committee~~.

24 (6) Procedures for a nurse to refuse to perform or be
25 involved in patient handling or movement that the nurse in
26 good faith believes will expose a patient or nurse or other

1 health care worker to an unacceptable risk of injury, but
2 only when a trained safe-lifting team and policy and safe
3 equipment are present and available.

4 (7) Submission of an annual report to the hospital's
5 governing body or quality assurance committee on
6 activities related to the identification, assessment, and
7 development of strategies to control risk of injury to
8 patients and nurses and other health care workers
9 associated with the lifting, transferring, repositioning,
10 or movement of a patient.

11 (8) In developing architectural plans for construction
12 or remodeling of a hospital or unit of a hospital in which
13 patient handling and movement occurs, consideration of the
14 feasibility of incorporating patient handling equipment or
15 the physical space and construction design needed to
16 incorporate that equipment.

17 (9) Consideration of the feasibility of incorporating
18 patient handling equipment or the physical space and
19 construction design needed to incorporate that equipment
20 in conjunction with federal handling equipment or the
21 physical space and construction design needed to
22 incorporate that equipment and federal guidelines known as
23 Access to Medical Care for Individuals With Mobility
24 Disabilities or subsequently enacted federal regulations
25 or subsequently adopted federal guidelines, incorporated
26 by reference, when developing architectural plans for

1 construction or remodeling of a hospital or unit of a
2 hospital in which patient handling and movement occurs.

3 (Source: P.A. 96-389, eff. 1-1-10; 96-1000, eff. 7-2-10.)

4 Section 99. Effective date. This Act takes effect January
5 1, 2012.