

A bill for an act

relating to occupational safety and health; requiring safe patient handling plans in clinical settings; amending Minnesota Statutes 2008, sections 182.6551; 182.6552, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 182.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 182.6551, is amended to read:

**182.6551 CITATION; SAFE PATIENT HANDLING ACT.**

Sections 182.6551 to ~~182.6553~~ 182.6554 may be cited as the "Safe Patient Handling Act."

Sec. 2. Minnesota Statutes 2008, section 182.6552, is amended by adding a subdivision to read:

Subd. 5. **Clinical settings that move patients.** "Clinical settings that move patients" means physician, dental, and other outpatient care facilities, except for outpatient surgical settings, where service requires movement of patients from point to point as part of the scope of service.

**Sec. 3. [182.6554] SAFE PATIENT HANDLING IN CLINICAL SETTINGS.**

Subdivision 1. **Safe patient handling plan required.** (a) By July 1, 2010, every clinical setting that moves patients in the state shall develop a written safe patient handling plan to achieve by January 1, 2012, the goal of ensuring the safe handling of patients by minimizing manual lifting of patients by direct patient care workers and by utilizing safe patient handling equipment.

(b) The plan shall address:

(1) assessment of risks with regard to patient handling that considers the patient population and environment of care;

(2) the acquisition of an adequate supply of appropriate safe patient handling equipment;

(3) initial and ongoing training of direct patient care workers on the use of this equipment;

(4) procedures to ensure that physical plant modifications and major construction projects are consistent with plan goals; and

(5) periodic evaluations of the safe patient handling plan.

(c) A health care organization with more than one covered clinical setting that moves patients may establish a plan at each clinical setting or establish one plan to serve this function for all the clinical settings.

Subd. 2. **Facilities with existing programs.** A clinical setting that moves patients that has already adopted a safe patient handling plan that satisfies the requirements of subdivision 1, or a clinical setting that moves patients that is covered by a safe patient handling plan that is covered under and consistent with section 182.6553, is considered to be in compliance with the requirements of this section.

Subd. 3. **Training materials.** The commissioner shall make training materials on implementation of this section available at no cost to all clinical settings that move patients as part of the training and education duties of the commissioner under section 182.673.

Subd. 4. **Enforcement.** This section shall be enforced by the commissioner under section 182.661. The initial serious violation of this section is subject to a citation under section 182.66 without a penalty. A subsequent violation of this section is subject to the penalties provided under section 182.666.