

HB 401 -- Hospital Patient Safety

Sponsor: Schaaf

This bill changes the laws regarding hospital patient safety. In its main provisions, the bill:

- (1) Requires each hospital to establish a safe patient handling committee by January 1, 2010, to design and recommend the process for implementing a safe patient handling program;
- (2) Requires each hospital to establish a safe patient handling program by July 1, 2010, implement a safe handling policy for all shifts and units, conduct a patient handling hazard assessment, develop a process to identify the appropriate use of the policy, conduct annual performance evaluations of the program, and consider incorporating patient handling equipment in future hospital remodels;
- (3) Requires each hospital, by January 1, 2013, to acquire its choice of a specified minimum of patient lifting equipment and to train staff on policies, equipment, and devices at least annually;
- (4) Requires each hospital to develop procedures for employees to refuse to perform or be involved in patient handling or movement that will expose the patient or employee to an unacceptable risk of injury; and
- (5) Requires the Division of Workers' Compensation within the Department of Labor and Industrial Relations to develop rules by January 1, 2011, to provide a reduced premium for hospitals that implement a safe patient handling program and to complete an evaluation and report on the results of the reduced premiums to the appropriate committees of the General Assembly by December 1, 2014, and December 1, 2016.

The bill authorizes an income tax credit for hospitals that purchase equipment used to implement a safe patient handling program. The amount of the tax credit will be up to 50% of the cost of the mechanical lift devices or other equipment. Tax credit applications must be filed with the Department of Health and Senior Services by October 31 of the year in which the qualified purchase was made and the tax credit is claimed. The maximum credit allowed for each hospital is limited to \$1,000 for each available acute care inpatient bed. The tax credit is nonrefundable, but can be carried forward for up to three years.

No more than \$10 million of tax credits can be issued annually for the program. If applications for the tax credit exceed \$10

million in any given year, the Department of Health and Senior Services must notify hospitals that the annual limit has been met. No tax credits will be issued for the program after December 30, 2014. Beginning July 1, 2012, the bill requires the department to issue an annual report on the amount of tax credits claimed.