

SAFE PATIENT HANDLING BILL GAINS MOMENTUM WITH AID OF NEW COALITION

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A new coalition formed to bolster support for safe patient handling legislation hopes to convince at least 20 lawmakers to cosponsor the bill by the end of the August recess, sources say. The group -- consisting of unions, nurses groups, hospitals, insurance companies and individuals -- recently met with lawmakers to drum up support for the legislation, which would require OSHA to establish a safe patient handling standard that would largely eliminate manual patient lifting among health care workers by requiring the use of mechanical equipment.

The legislation currently has seven cosponsors, including House workforce protections subcommittee chair Rep. Lynn Woolsey (D-CA) and transportation committee chair Rep. James Oberstar (D-MN). Most of the cosponsors were added in recent weeks. Past versions of the bill garnered few cosponsors -- with only one when it was introduced in the last Congress and none in the 109th Congress. The coalition's longer-term focus is to reach 70 cosponsors, as that will give the bill some real clout, said Marsha Medlin, who founded the group.

The bill, the Nurse and Health Care Worker Protection Act of 2009 (H.R. 2381), sponsored by Rep. John Conyers (D-MI), was reintroduced in May after stalling in committee during past legislative sessions.

A union official said he has already seen progress on the issue due to the work of the group, the Coalition for Healthcare Worker and Patient Safety (CHAPS). "We're excited by the fact that we're finally getting some traction this year," he said.

After coalition members visited members of Congress in July, a handful of lawmakers signed on to the bill. "Cosponsors are starting to trickle in and we're hoping it will eventually lead to a groundswell of cosponsors that will move the process forward this time," the official added.

The coalition is also working closely with Conyers' staff, which told coalition members that the bill would need to be passed within a year and hearings should be held once the bill gains more attention from lawmakers. Conyers is also continually sending out "Dear Colleague" letters to gain support for the legislation. Additionally, Conyers' office has assured CHAPS that President Barack Obama is sympathetic toward the legislation.

Medlin said members of unions and groups involved in the coalition are being encouraged to contact lawmakers in their districts to support the bill. CHAPS also plans to conduct a briefing with congressional staff in September and will bring lift equipment to show how it works and how it can prevent severe injuries for health care workers, she added. Other possible activities are also being considered, including work on a CHAPS Web site.

The coalition has also reached out to other groups, including the National Organization for Women (NOW) and AARP, to support the legislation. NOW recently said it will endorse the bill and is preparing an action alert on the topic. In an e-mail to Inside OSHA, NOW President Terry O'Neill said it is time for the country to install patient lifting equipment in health care institutions, as has already been done in other countries to reduce injuries in health care workers. "It is inexcusable that our health care industry has failed to take common sense initiatives to protect nurses and health care workers who must frequently move and lift patients," she said. "With the current shortage of nurses, skilled health care professionals in this country, we cannot afford to lose these good workers to back, neck and spinal injuries."

According to Anne Hudson, founder of the Work Injured Nurses' Group USA (WINGUSA) and a coalition member, congressional staff had urged the group to seek NOW support, considering the large amount of women affected by patient handling injuries. Hudson said about 95 percent of

health care workers are women and many are still required to lift “enormous” weight without the assistance of any equipment.

The union official added that now is a good time to address safe patient handling since the new administration has indicated it is receptive to it and the issue meshes well with health care reform. He noted that the legislation will also bolster patient safety as lifting equipment will help reduce patient falls, as well as prevent bruises and skin tears that can happen through manual handling and lead to infection.

Though some have viewed the safe patient handling bill as creating a foothold for moving forward on ergonomics -- and it has been termed a “minor league ergonomics bill” by some stakeholders -- Hudson said it is key for the bill to be seen as industry-specific. “This is not a prelude to a resurrection of an ergo standard,” she said. Hudson noted that a general ergonomics standard would not necessarily help health care workers, pointing to a generalized regulation in Australia as an example where a generic rule was instituted but health care workers still experienced high rates of injury. Instead, CHAPS is a targeted effort to ensure that dangerous lifting ends, she said.

Discussions continue about a Senate companion, but a source said the coalition’s immediate focus will be on getting the bill through the House. Nevertheless, the National Nursing Shortage Reform and Patient Advocacy Act (S. 1031), sponsored by Sen. Barbara Boxer (D-CA), also has a provision calling for a safe patient handling standard. Medlin said the coalition currently has no stance on the Boxer’s legislation. -- Sara Ditta