
A BILL FOR AN ACT

RELATING TO OCCUPATIONAL HEALTH AND SAFETY.

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

1 SECTION 1. Chapter 396, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§396- Acute care hospitals; zero lift policy. (a)

5 Each general acute care hospital licensed under section 321-14.5
6 shall adopt a health care worker back injury prevention plan
7 under which a needs assessment shall be conducted in relation to
8 patient lifts. As part of the needs assessment, each hospital
9 subject to this section shall develop a lifting and transferring
10 process that identifies the patients who require the appropriate
11 use of lift teams and lifting devices and equipment.

12 (b) Each hospital subject to this section shall implement
13 a "zero lift policy" for all shifts for patients identified
14 pursuant to subsection (a) as requiring the use of lift teams
15 and lifting devices and equipment. Each general acute care
16 hospital subject to this section, as appropriate and consistent
17 with the needs assessment developed pursuant to subsection (a),



1 shall use lift teams and lifting devices and equipment. Each
2 general acute care hospital subject to this section shall
3 provide training to health care workers on the appropriate use
4 of the lifting devices and equipment. Training for these health
5 care workers shall include body mechanics and the use of lifting
6 devices to safely handle patients.

7 (c) Lift team members shall be given specialized training
8 and shall demonstrate proficiency in safe techniques for lifting
9 or transferring patients and the appropriate use of lifting or
10 transferring devices and equipment. Lift teams shall use
11 lifting devices and equipment when assisting health care workers
12 throughout the hospital to lift patients unless the use of
13 lifting devices and equipment is specifically contraindicated
14 for the patient's condition or medical status.

15 (d) A health care worker who refuses to lift a patient due
16 to concerns about worker and patient safety and the lack of
17 trained lift team personnel or equipment shall not be the
18 subject of disciplinary action by the hospital or any of its
19 managers or employees that is based solely upon the refusal.

20 (e) Notwithstanding subsection (d), the hospital, its
21 managers, or its employees may discipline a health care worker



1 who refuses to lift a patient if the health care worker has been
2 trained on appropriate patient and equipment lifting procedures
3 and has appropriate, functional lifting devices and equipment
4 available to perform the requested lift.

5 (f) It is not the intent of this section to prescribe a
6 particular process for acute care hospitals subject to this
7 section.

8 (g) For the purposes of this section:

9 "Lifting and transferring process" means a system whereby
10 patients are identified based upon the potential risk of injury
11 to the health care worker if the worker would need to lift or
12 transfer that patient.

13 "Lift team" means hospital employees specially trained to
14 handle patient lifts and transfers; provided that nothing in
15 this section shall preclude lift team members from performing
16 other duties as assigned during their shift.

17 "Zero lift policy" means replacing manual lifting and
18 transferring of patients with powered patient transfer devices,
19 lifting devices, or lift teams, consistent with the needs
20 assessment developed by the hospital pursuant to subsection

21 (a)."



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1 SECTION 2. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 18 2019



H.B. NO. 303

Report Title:

Hospitals; Patient Lift Plan and Policy

Description:

Requires general acute care hospitals to use lift teams and lifting equipment and devices for the lifting and transferring of patients for whom not using lift teams and lifting equipment and devices would pose the risk of injury to the health care workers or the patients.

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