

SENATE BILL REPORT

ESHB 1672

As of March 8, 2006

Title: An act relating to reducing injuries among patients and health care workers.

Brief Description: Requiring hospitals to establish a safe patient handling committee.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Hudgins, Green, Cody, Appleton, Morrell, Wood, McCoy, Kenney, Moeller and Chase).

Brief History: Passed House: 3/07/06, 85-13.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Staff: Jennifer Strus (786-7316)

Background: The Department of Labor and Industries (Department) administers and enforces the Washington Industrial Safety and Health Act (WISHA). WISHA directs the Department to adopt rules governing safety and health standards for workplaces covered by the WISHA. Washington is a "state plan state" under the federal Occupational Safety and Health Act (OSHA). As a state plan state, Washington is authorized to assume responsibility for occupational safety and health in the state. To maintain its status, Washington's safety and health standards must be at least as effective as those standards adopted or recognized under the OSHA.

In 2003, OSHA adopted voluntary guidelines for nursing homes, including recommendations for nursing home employers to help reduce the number and severity of work-related musculoskeletal disorders in their facilities. These guidelines recommend that (1) manual lifting be minimized in all cases and eliminated when feasible; and (2) employers implement an effective ergonomics process covering specified topics. These guidelines state that they are advisory and do not create any new employer duties under OSHA. They also suggest that other employers, such as hospitals, assisted living centers, and homes for the aged or disabled, would find the guidelines useful.

Both the Department and OSHA have had generally applicable ergonomics standards that were repealed. In March of 2001, the Congress adopted a resolution, signed by the President, that repealed an OSHA ergonomics standard that had taken effect a month earlier. In Washington, the voters approved Initiative 841 in 2003 that repealed ergonomics rules that had been adopted by the Department on May 26, 2000. Under Initiative 841, the Director does not have authority to adopt rules dealing with musculoskeletal disorders until, and to the extent, required by the Congress or OSHA.

Summary of Bill: By February 1, 2007, each hospital must establish a safe patient handling committee either by creating a new committee or assigning the functions of a safe patient handling committee to an existing committee.

