

SENATE BILL No. 529

June 12, 2001, Introduced by Senators HART, PETERS, DE BEAUSSAERT, NORTH and EMERSON and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 20196.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 20196. (1) THE DEPARTMENT SHALL ISSUE A SAFETY ALERT
2 TO EACH HEALTH FACILITY OR AGENCY LICENSED UNDER THIS ARTICLE
3 THAT UTILIZES HOSPITAL BEDS WITH SAFETY RAILS. THE DEPARTMENT
4 SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING IN THE SAFETY ALERT:

5 (A) A DESCRIPTION OF THE MOST COMMON WAYS PEOPLE BECOME
6 ENTANGLED IN HOSPITAL BED SAFETY RAILS.

7 (B) A WARNING THAT HOSPITAL BED SAFETY RAILS SHOULD NOT BE
8 USED WITH CERTAIN PATIENTS, INCLUDING A DESCRIPTION OF THOSE
9 PATIENTS.

1 (C) A STATEMENT URGING AFFECTED HEALTH FACILITIES AND
2 AGENCIES TO CLOSELY MONITOR HOSPITAL BEDS WITH SAFETY RAILS FOR
3 GAPS BETWEEN THE BED MATTRESS AND THE SAFETY RAILS AND TO ASSURE
4 THAT REPLACEMENT MATTRESSES FOR SUCH BEDS FIT IN SUCH A MANNER
5 THAT THERE ARE NO GAPS BETWEEN THE MATTRESS AND THE SAFETY RAIL.

6 (D) OTHER INFORMATION, INCLUDING, BUT NOT LIMITED TO, INFOR-
7 MATION FROM THE RELATED SAFETY ALERT ISSUED BY THE FEDERAL FOOD
8 AND DRUG ADMINISTRATION IN AUGUST OF 1995, AND OTHER INFORMATION
9 CONSIDERED RELEVANT BY THE DEPARTMENT.

10 (2) IF THE TASK FORCE ON HOSPITAL BED SAFETY RAILS CONVENED
11 BY THE FEDERAL FOOD AND DRUG ADMINISTRATION IN APRIL OF 1999
12 ISSUES A REPORT, THE DEPARTMENT SHALL UPDATE THE SAFETY ALERT
13 REQUIRED UNDER SUBSECTION (1) WITH THE INFORMATION CONTAINED IN
14 THE REPORT.

15 (3) IF A DEATH INVOLVING A PATIENT IN A HOSPITAL BED WITH
16 SAFETY RAILS OCCURS IN A HEALTH FACILITY OR AGENCY, AND BOTH OF
17 THE FOLLOWING CONDITIONS EXIST, THE HEALTH FACILITY OR AGENCY
18 SHALL NOTIFY THE FAMILY OF THE DECEASED, IF POSSIBLE, AND PROVIDE
19 THE REASON OF REASONS THE DEATH OCCURRED:

20 (A) THE HEALTH FACILITY IS REQUIRED TO NOTIFY THE COUNTY
21 MEDICAL EXAMINER OF THE DEATH UNDER 1953 PA 181, MCL 52.201 TO
22 52.216.

23 (B) THE COUNTY MEDICAL EXAMINER IS REQUIRED TO INVESTIGATE
24 THE DEATH UNDER 1953 PA 181, MCL 52.201 TO 52.216.