

SENATE BILL No. 1370

September 21, 2000, Introduced by Senators HART, DE BEAUSSAERT, MC MANUS, DINGELL, BYRUM, CHERRY, YOUNG and MURPHY 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.

10 (C) A STATEMENT URGING AFFECTED HEALTH FACILITIES AND
11 AGENCIES TO CLOSELY MONITOR HOSPITAL BEDS WITH SAFETY RAILS FOR

1 GAPS BETWEEN THE BED MATTRESS AND THE SAFETY RAILS AND TO ASSURE
2 THAT REPLACEMENT MATTRESSES FOR SUCH BEDS FIT IN SUCH A MANNER
3 THAT THERE ARE NO GAPS BETWEEN THE MATTRESS AND THE SAFETY RAIL.

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

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

13 (3) IF A DEATH INVOLVING A PATIENT IN A HOSPITAL BED WITH
14 SAFETY RAILS OCCURS IN A HEALTH FACILITY OR AGENCY, AND BOTH OF
15 THE FOLLOWING CIRCUMSTANCES OCCUR, THE HEALTH FACILITY OR AGENCY
16 SHALL NOTIFY THE FAMILY OF THE DECEASED, IF POSSIBLE:

17 (A) THE HEALTH FACILITY IS REQUIRED TO NOTIFY THE COUNTY
18 MEDICAL EXAMINER OF THE DEATH UNDER 1953 PA 181, MCL 52.201 TO
19 52.216.

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