

HB 2556 -- HEALTH CARE WORKERS

SPONSOR: Hicks

This bill prohibits employees or contractors of licensed or registered health care facilities from being required to physically engage with a person exhibiting violent tendencies if there is a reasonable fear that such engagement may result in bodily harm to the employee or contractor. Additionally, no licensed or registered health care facility is to require an employee or contractor to become certified or otherwise participate in training that limits physical control or restraint of violent patients to specific holds or positions.

The bill specifies that no licensed or registered health care facility, or any employee or contractor thereof, can, if acting in good faith and without gross negligence, be held liable for damages arising from an incident in which a violent patient, posing a risk of bodily harm to employees, contractors, or bystanders, flees the custody of the facility. However, this does not apply if the patient is a minor child and the facility knew of certain diagnoses, as specified in the bill.

This bill allows nurses to terminate without consequence participation in a patient's care if the nurse is subject to assault or battery by the patient or someone acting on the patient's behalf. The facility is required to reassign nurses as needed to ensure care until such care is terminated.

The bill also requires any individual who has expressed intent to harm himself or herself, who is not in need of emergency medical attention, and who is in the custody of law enforcement to be transported to the nearest jail or prison for evaluation.

Any health care facility that violates the provisions of this bill will be subject to revocation or suspension of the license or registration of the facility, and accrediting bodies that violate the provisions of this bill will not be recognized as valid accrediting bodies by any State agency or department.