

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1235

H.P. 896

House of Representatives, March 14, 2019

An Act To Increase Safety in Health Care Facilities

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R. B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative RISEMAN of Harrison.

Cosponsored by Representatives: DODGE of Belfast, DOUDERA of Camden, Senator: DOW of Lincoln.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1728** is enacted to read:

3 **§1728. Safety and security in health care facilities**

4 **1. Definitions.** For the purposes of this section, unless the context otherwise
5 indicates, the following terms have the following meanings.

6 A. "Health care" means any care, treatment, service or procedure to maintain,
7 diagnose or otherwise affect an individual's physical or mental condition.

8 B. "Health care facility" means a facility, institution or entity licensed pursuant to
9 this Title that offers health care to persons in this State.

10 **2. Safety and security plan.** A health care facility shall, on an annual basis, adopt a
11 safety and security plan to protect the patients, visitors and employees of the health care
12 facility from aggressive and violent behavior. The safety and security plan must include
13 a process for health care facilities to receive and record incidents and threats of violent
14 behavior occurring at or arising out of employment at the health care facility. The safety
15 and security plan must prohibit a representative or employee of the health care facility
16 from interfering with a person making a report as provided in the plan. The provisions of
17 this section do not apply to a hospital required to adopt a safety and security plan
18 pursuant to section 1832.

19 **SUMMARY**

20 Under current law, hospitals are required to annually adopt a safety and security plan
21 to protect patients, visitors and employees of the hospital from aggressive and violent
22 behavior. This bill extends that requirement to all health care facilities.