

S 1788

Nurse and Health Care Worker Protection Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Oct 15, 2009

Current Status: Committee on Health, Education, Labor, and Pensions Subcommittee on Employment and Workplace Safety.

Latest Action: Committee on Health, Education, Labor, and Pensions Subcommittee on Employment and Workplace Safety. Hearings held. With printed Hearing: S.Hrg. 111-1138. (May 11, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/1788>

Sponsor

Name: Sen. Franken, Al [D-MN]

Party: Democratic • **State:** MN • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Inouye, Daniel K. [D-HI]	D · HI		May 20, 2010
Sen. Klobuchar, Amy [D-MN]	D · MN		May 20, 2010
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jun 7, 2010

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Hearings By (subcommittee)	May 11, 2010

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
111 HR 2381	Identical bill	Jun 11, 2009: Referred to the Subcommittee on Workforce Protections.

Nurse and Health Care Worker Protection Act of 2009 - Requires the Secretary of Labor to propose a standard on safe patient handling and injury prevention to prevent musculoskeletal disorders for direct-care registered nurses and all other health care workers that requires the use of engineering controls to lift patients and the elimination of manual lifting of patients through the use of mechanical devices, except where patient care may be compromised.

Requires health care employers to: (1) develop and implement a safe patient handling and injury prevention plan; (2) provide their workers with training on safe patient handling and injury prevention; and (3) post a uniform notice that explains the standard and the procedures to report patient handling-related injuries. Requires the Secretary to conduct unscheduled inspections to ensure compliance with safety standards.

Allows health care workers to: (1) refuse to accept an assignment in a health care facility that violates safety standards or for which such worker has not received required training; and (2) file complaints against employers who violate this Act. Prohibits employers from taking adverse actions against any health care worker who in good faith reports a violation, participates in an investigation or proceeding, or discusses violations.

Authorizes health care workers who have been discharged, discriminated, or retaliated against in violation of this Act to bring legal action for reinstatement, reimbursement of lost compensation, attorneys' fees, court costs, and other damages.

Requires the Secretary of Health and Human Services (HHS) to establish a grant program for purchasing safe patient handling and injury prevention equipment for health care facilities.

Actions Timeline

- **May 11, 2010:** Committee on Health, Education, Labor, and Pensions Subcommittee on Employment and Workplace Safety. Hearings held. With printed Hearing: S.Hrg. 111-1138.
- **Oct 15, 2009:** Introduced in Senate
- **Oct 15, 2009:** Sponsor introductory remarks on measure. (CR S10488-10489)
- **Oct 15, 2009:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (text of measure as introduced: CR S10489-10490)