S T A T E O F N E W Y O R K

741

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. GUNTHER, ZEBROWSKI, STIRPE -- Multi-Sponsored by -- M. of A. GREENE -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to hospital acquired infection policy, implementation and reporting of certain staphylococcus infections

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 2819-a to read as follows:

S 2819-A. HOSPITAL ANTIBIOTIC RESISTANT INFECTION PREVENTION AND CONTROL PROTOCOL. 1. A. THE COMMISSIONER SHALL ESTABLISH BEST PRACTICES STANDARDS FOR ANTIBIOTIC RESISTANT INFECTION CONTROL IN HOSPITALS, AS DEFINED IN SUBDIVISION ONE OF SECTION TWENTY-EIGHT HUNDRED ONE OF THIS ARTICLE, ON OR BEFORE THE ONE HUNDRED EIGHTIETH DAY AFTER THIS SECTION SHALL HAVE BECOME A LAW. THE COMMISSIONER SHALL INCORPORATE THE GUIDELINES PUBLISHED BY THE SOCIETY FOR HEALTHCARE EPIDEMIOLOGY OF AMERICA (SHEA) INTO SUCH BEST PRACTICE STANDARDS.

B. ON OR BEFORE THE ONE HUNDRED EIGHTIETH DAY AFTER THIS SECTION SHALL HAVE BECOME A LAW, THE DEPARTMENT SHALL ADOPT A STATEWIDE METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS (MRSA) MEASUREMENT STANDARD USING, AT A MINIMUM, THE NATIONAL HEALTHCARE SAFETY NETWORK'S (NHSN) VETERAN HEALTH ADMINISTRATION MRSA MODULE DEFINITIONS. THE COMMISSIONER SHALL REQUIRE EVERY HOSPITAL TO REPORT EACH INCIDENCE OF MRSA AND VANCOMYCIN RESISTANT ENTEROCOCCUS (VRE) TO THE DEPARTMENT AS PART OF THE REPORTING REQUIREMENTS OF SECTION TWENTY-EIGHT HUNDRED NINETEEN OF THIS ARTICLE.

2. A. ALL HOSPITALS, AS PROVIDED IN SUBDIVISION ONE OF THIS SECTION, SHALL ESTABLISH A WRITTEN ANTIBIOTIC RESISTANT INFECTION PREVENTION AND CONTROL POLICY WHICH INCORPORATES THE BEST PRACTICE STANDARDS IN INFECTION CONTROL AS IDENTIFIED BY THE COMMISSIONER.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

LBD02300-01-9

B. ALL HOSPITALS SHALL IMPLEMENT AN ANTIBIOTIC RESISTANT INFECTION PREVENTION AND CONTROL PROTOCOL AS SOON AS PRACTICABLE. THE PROTOCOL SHALL BE MODELED AFTER THE FEDERAL VETERAN HEALTH ADMINISTRATION'S METHICILLIN RESISTANT STAPHYLOCOCCUS AUREUS INITIATIVE AND SHALL INCLUDE, BUT NOT BE LIMITED TO:

(I) IDENTIFICATION OF COLONIZED OR INFECTED PATIENTS THROUGH PRELIMINARY SCREENING OF EACH PATIENT AS SOON AS PRACTICABLE UPON ADMISSION;

(II) ISOLATION AND TREATMENT OF COLONIZED OR INFECTED PATIENTS IN AN APPROPRIATE MANNER;

(III) STRICT TRAINING AND ADHERENCE TO EMPLOYEE PERSONAL HYGIENE GUIDELINES;

(IV) MEASUREMENT CONSISTENT WITH A STATEWIDE MRSA MEASUREMENT STANDARD SYSTEM USING, AT A MINIMUM, THE NATIONAL HEALTHCARE SAFETY NETWORK'S (NHSN) VETERANS HEALTH ADMINISTRATION MRSA MODULE DEFINITIONS.

3. THE COMMISSIONER SHALL ADOPT ANY AND ALL RULES AND REGULATIONS NECESSARY TO FURTHER IMPLEMENT AND ENFORCE THE PROVISIONS OF THIS SECTION.

S 2. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.