

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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Introduced by M. of A. CAHILL, BENEDETTO, CASTRO, MAISEL, MARKEY,  
M. MILLER, ROBINSON, MONTESANO, SALADINO, HOOPER -- Multi-Sponsored by  
-- M. of A. BRENNAN, GABRYSZAK, GALEF, GLICK, JACOBS, KOLB, LUPARDO,  
PHEFFER, SCARBOROUGH, SPANO, WEISENBERG -- read once and referred to  
the Committee on Health

AN ACT to amend the public health law, in relation to requiring the  
commissioner of health to develop and implement a system for uniform  
patient safety

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

1     Section 1. The public health law is amended by adding a new section 22  
2     to read as follows:  
3     S 22. UNIFORM PATIENT SAFETY. 1. THE COMMISSIONER SHALL, IN CONSULTA-  
4     TION WITH STATEWIDE ORGANIZATIONS REPRESENTATIVE OF PROVIDERS OF HOSPI-  
5     TAL AND HEALTH-RELATED SERVICES, DEVELOP AND IMPLEMENT A SYSTEM FOR  
6     COLOR-CODING STANDARDIZATION OF MEDICAL SAFETY CONDITIONS FOR USE IN ALL  
7     HEALTH CARE FACILITIES. THE COMMISSIONER SHALL, ON OR AFTER JULY FIRST,  
8     TWO THOUSAND THIRTEEN, DEVELOP SUCH UNIFORM PATIENT SAFETY CONDITIONS BY  
9     STANDARDIZING THE COLOR-CODING OF PATIENT WRIST BANDS AND PROVIDING  
10    HOSPITALS, HEALTH CARE PROVIDERS, RESIDENTIAL HEALTH CARE FACILITIES AND  
11    NURSING HOMES IN THIS STATE WITH A PATIENT STANDARDIZATION WHICH IS  
12    UNIFORM IN RELATION TO HEALTH-RELATED SERVICES. THE COMMISSIONER SHALL  
13    ESTABLISH AND IMPLEMENT THE UNIFORMITY OF ALL PATIENT SAFETY THROUGH THE  
14    PROMULGATION OF RULES AND REGULATIONS AND FURTHER PROVIDE FOR THE  
15    SYSTEMATIC AND STANDARD APPLICATION OF A COLOR SYSTEM TO AID IN THE  
16    CLASSIFICATION AND IDENTIFICATION OF SAFETY CONDITIONS INCLUDING, BUT  
17    NOT LIMITED TO, A DO NOT RESUSCITATE ORDER, ALLERGIES, FALL RISK OF THE  
18    PATIENT, ELOPEMENT AND CHOKING PRECAUTIONS.  
19    2. FOR THE PURPOSES OF THIS SECTION, "ELOPEMENT" MEANS THAT A PATIENT  
20    (A) HAS LEFT THE HOSPITAL, HEALTH CARE FACILITY, RESIDENTIAL HEALTH CARE

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

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1 FACILITY OR NURSING HOME, OR THE COMPANY OF STAFF, WITHOUT AUTHORI-  
2 ZATION; OR (B) HAS LEFT THE HOSPITAL, HEALTH CARE FACILITY, RESIDENTIAL  
3 HEALTH CARE FACILITY OR NURSING HOME WITH AUTHORIZATION BUT HAS FAILED  
4 TO RETURN TO SUCH FACILITY LATER THAN THIRTY MINUTES BEYOND THE DESIG-  
5 NATED TIME.  
6 S 2. This act shall take effect July 1, 2013; provided, however, that  
7 effective immediately, the addition, amendment and/or repeal of any rule  
8 or regulation necessary for the implementation of this act on its effec-  
9 tive date are authorized and directed to be made and completed on or  
10 before such effective date.