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Resolve, Regarding the Use of Restraints in Nursing Facilities

Sec. 1 Preadmission information. Resolved: That the Department of Health and Human Services shall adopt rules to ensure that prior to admission to a nursing facility a prospective resident or the family or guardian of a prospective resident is provided with information about the policy of the nursing facility regarding the use of restraints, including examples of the use of and alternatives to restraints in the nursing facility. The examples must include the use of bed side rails and other strategies to address falls from bed. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A; and be it further

Sec. 2 Report. Resolved: That on or before January 1, 2008, January 1, 2009 and January 1, 2010, the Department of Health and Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the use of bed side rails as restraints.