

Health Care Reform: Legislation Enacted.

We have placed the entire text of the new health care reform bill on the Internet at www.nursinglaw.com/HealthCareReform.pdf.

Please note that the full text of the bill is 2309 printed pages and 3.34 megabytes of digital disc space. A high-speed Internet connection is recommended for those who intend to download.

The bill brings in comprehensive changes to the health-insurance industry.

The bill also calls for wide-ranging amendments to Federal Medicare and Medicaid standards to improve the quality and the availability of care.

The parts of the bill calling for changes to Medicare and Medicaid standards, at this point in time, are only generalized directives from the US Congress to the US Secretary of Health and Human Services to conduct studies and then to propose new regulations in specific areas of facility-management and patient-care, regulations which will be consistent with the overall intent of Congress in enacting the health care reform bill.

New regulations affecting patient care standards should begin to be seen in about one year and will begin to take effect in the next two or three years after that.

Health Care Reform - Highlights

Whistleblowers are expressly given the right to sue their employers in Federal court. Effective in one year, any employee who works at a skilled nursing facility or nursing facility who complains in good faith about the quality of care is protected by law from employer reprisals, including so-called retaliatory reporting of the employee to a state licensing agency.

Facilities will be required to post notices advising employees of their rights. These rights may not be signed off in an employment agreement with the facility.

Skilled nursing facilities and nursing facilities will be required to have compliance and ethics training programs to prevent and detect criminal, civil and administrative violations and to promote quality of care. These programs will encourage employees to report violations by others without fear of retribution.

The new bill requires the Secretary of Health and Human services to conduct a study specifically to determine if existing regulations need to be augmented regarding pre-employment and continuing training standards for non-licensed personnel who care for dementia patients.