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Resolve, To Define High-risk Populations for the Purposes of Hospital Surveillance for Methicillin-resistant Staphylococcus Aureus and To Implement Public Law 2009, chapter 346

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, immediate initiation of screening for methicillin-resistant Staphylococcus aureus is critical to maintaining the health of the residents of the State; and

Whereas, immediate initiation of screening for methicillin-resistant Staphylococcus aureus requires the adoption of a definition of high-risk populations and reporting of screening; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1 Implementation of law. Resolved: That, to implement the Maine Revised Statutes, Title 22, section 8761, the Maine Quality Forum shall by April 1, 2010:

1. Define high-risk populations for the purposes of surveillance for methicillin-resistant Staphylococcus aureus in all hospitals in this State, consistent with the federal Centers for Disease Control and Prevention guidelines, as persons who:

- A. Are critical care patients, cancer patients, HIV patients, diabetes patients, dialysis patients, cardiac surgical patients, bariatric surgical patients, surgical patients or former surgical patients;
- B. Have had antibiotic therapy either repeatedly or within the recent past;
- C. Have had frequent and repeated health care contacts;
- D. Are long-term care patients, rehabilitation facility patients or nursing facility patients;
- E. Have previously had methicillin-resistant Staphylococcus aureus or have been caregivers for such persons;
- F. Have active psoriasis, a burn or other open sore;
- G. Have an indwelling catheter or other foreign body such as a feeding tube or central line;
- H. Are orthopedic patients admitted for joint replacement or hardware surgery;
- I. Are transferred from a prison or jail;
- J. Are homeless;
- K. Take drugs intravenously; or
- L. Are characterized as immunocompromised; and

2. Require screening for all high-risk populations upon admission to the hospital and, for those persons screened negative upon admission, repeat screening:

- A. One week after admission;
- B. Prior to transfer to a different critical care setting; and
- C. Prior to discharge; and be it further

Sec. 2 Rulemaking. Resolved: That, by April 1, 2010, the Maine Health Data Organization shall adopt rules pursuant to the Maine Revised Statutes, Title 22, section 8708-A and Resolve 2009, chapter 82 to require the reporting of the results of screening for methicillin-resistant Staphylococcus aureus by all hospitals in the State. The rules must require that hospitals report to the Maine Health Data Organization and to the Department of Health and Human Services, Maine Center for Disease Control and Prevention all positive tests for methicillin-resistant Staphylococcus aureus, including a designation of the infection as acquired in the community or hospital, based on a brief patient interview and the timing of acquisition of the infection. The rules must require reported infection data to be made available to the public through a publicly accessible website. The rules must enable reported test results to form the foundation for evaluating the progress of screening of high-risk populations and a new policy for the prevention of epidemiologically significant organisms, including methicillin-resistant Staphylococcus aureus. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

SUMMARY

This resolve defines high-risk populations for Maine hospitals to screen for methicillin-resistant Staphylococcus aureus, known as MRSA, to facilitate implementation of Public Law 2009, chapter 346. In addition, this resolve requires that hospitals report positive test results to the Maine Health Data Organization and the Department of Health and Human Services, Maine Center for Disease Control and Prevention.