

HOUSE No. 01468

The Commonwealth of Massachusetts

PRESENTED BY:

Christine E. Canavan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing a patient care commission..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Geraldine Creedon</i>	<i>11th Plymouth</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

HOUSE No. 01468

By Ms. Christine E. Canavan of Brockton, petition (accompanied by bill, House, No. 01468) of Benjamin Swan and others for an investigation by a special commission (including members of the General Court) relative to patient care. Joint Committee on Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2031 OF 2009-2010.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven
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An Act establishing a patient care commission..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. For the purposes of this Act, the following terms should have the following
2 meanings:

3 “Direct patient care nurse”, a registered or licensed practical nurse who has accepted direct
4 responsibility and accountability to carry out medical regimens, nursing or other bedside care for
5 patients.

6 “Indirect patient care nurse”, a registered or licensed practical nurse who has a presence in
7 patient care areas but does not provide treatment and other bedside clinical care.

8 “Direct patient care staffing levels”, the ratio between direct-patient care nurses and the number
9 of patients cared for by the direct patient care nurses.

10 SECTION 2. There is hereby established a special, temporary commission entitled the patient
11 care commission, hereafter referred to as the commission, consisting of 7 persons as follows: 1
12 appointed by the governor; 3 appointed by the speaker of the house of representatives; and 3
13 appointed by the president of the senate. Of the 7 members, there shall be no more than 2 direct
14 patient care nurses and 1 indirect patient care nurse. The members shall elect a chairman and
15 vice-chairman.

16 Members shall be subject to the provisions of chapter 268A as they apply to special state
17 employees. Each member shall have experience in healthcare, public policy, nursing, or hospital
18 management.

19 SECTION 3. In the course of its deliberations, the commission shall be charged with the
20 following duties:

21 to study and evaluate the acuity of patients in acute-care hospitals and the efficiency of current
22 direct patient care staffing levels within said hospitals;

23 to study and evaluate the quality of patient care at the bedside;

24 to determine the risks and benefits of varying staffing and direct patient care levels to patients;

25 to determine the risk and benefits of varying staffing and direct-patient care levels to licensed
26 staff and direct patient care team, with specific focus given to potential impact on professional

27 licensure and hospital liability in dollars to patients; and

28 to determine the risks and benefits of varying staffing and direct patient care levels to acute-care
29 hospitals.

30 SECTION 4. The commission may hold public meetings and hold fact-finding hearings to assist
31 in the collection and evaluation of data and testimony as it may deem necessary. Any research,
32 analysis or other staff support that the Commission reasonably requires shall be provided by the
33 department of public health.

34 SECTION 5. The governmental bodies having authority to make appointments to the
35 Commission shall make said appointments within sixty days of the effective date of this act.
36 After 60 days has elapsed from the effective date of this act, the failure of one or more
37 appointing authorities to make an appointment shall not prevent the commission from meeting or
38 beginning its work and a quorum of the commission shall be comprised of at least one half of the
39 actually sitting members of the commission.

40 SECTION 7. The commission shall submit its findings and final recommendations in a report to
41 the governor, members of the general court, the secretary of the health and human services, and
42 the commissioner of public health within 18 months after the first meeting of the commission.