

HOUSE No. 01505

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Moran

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 relative to a patient's report card of nursing

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PETITION OF:

NAME:

Michael J. Moran

DISTRICT/ADDRESS:

18th Suffolk

HOUSE No. 01505

By Mr. Michael J. Moran of Boston, petition (accompanied by bill, House, No. 01505) of Michael J. Moran requiring health care facilities to make annual reports relative to nursing care for patients. Joint Committee on Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 2123 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to a patient's report card of nursing

□.

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. Chapter 118G of the General laws, as appearing in the 2004 Official

2 Edition, is hereby amended by adding the following new section:-

3 Section 28:

4 The division shall require hospitals, nursing homes, chronic care and rehabilitation hospitals,

5 other specialty hospitals, clinics, including mental health clinics, all other health care institutions,

6 organizations and corporations licensed or registered by the department of public health and

7 health maintenance organizations as defined in chapter 176G to annually report appropriate data,

8 including, but not limited to:

9 measures which differentiate between severity of patient illness, readmission rates, length of
10 stay, patient/family satisfaction with care;

11 indicators of the nature and amount of nursing care directly provided by licensed nurses
12 including, but not limited to, the average ratio of registered nurses to patients or residents and the
13 average skill mix ratio of licensed and supervised unlicensed personnel to patients or residents,
14 medication errors, number and grades of pressure sores, number of falls, number of injuries,
15 number of nosocomial infections and number of preventable hospitalizations;

16 documentation of defined nursing interventions such as clinical assessment by a licensed
17 provider, pain measurement and management, skin integrity management, patient education and
18 discharge planning; and

19 documentation of patient safety measures such as restraint checks, seizure precautions and
20 suicidal precautions, to enable purchasers of group health insurance policies and health care
21 services and for the public at large to make meaningful financial and quality of care
22 comparisons.

23 The division shall consult with interested parties, including but not limited to; the group
24 insurance commission, the Massachusetts nurses association, the Massachusetts health data
25 consortium, the Massachusetts hospital association, the public health council, Massachusetts
26 senior action council, associated industries of Massachusetts, a large labor union, the division of
27 medical assistance, the board of registration in nursing, the division of insurance, the
28 Massachusetts association of health maintenance organizations, and a national council of quality
29 assurance accreditation expert to develop methodologies for collecting and reporting data

30 pursuant to this section and to plan for its use and dissemination to culturally diverse
31 populations.

32 Subject to the provisions of section 2(c) of chapter 66A, information collected by the division
33 pursuant to this section shall be made available annually in the form of printed reports and
34 through electronic medium derived from raw data and/or through computer-to-computer access.
35 All personal data shall be maintained with the physical safeguards enumerated in said chapter.

36 SECTION 2. Section 70E of Chapter 111 of the General Laws is hereby amended by
37 striking out in line 89 the word “and”.

38 SECTION 3. Said section 70E of said Chapter 111, as so appearing, is hereby further
39 amended by striking out in line 99 the word “foregoing.” and adding, the following words
40 “foregoing; and”.

41 SECTION 4. Said section 70E of said Chapter 111, as so appearing, is hereby further
42 amended by adding at the end thereof the following new subsection:—

43 (o) upon request, to receive from a duly authorized representative of the facility,
44 disclosure of said facility’s nursing care data, including but not limited to, statistics on the nature
45 and amount of care directly versus indirectly provided by licensed nurses in the facility,
46 including the average ratio of registered nurses to patients or residents and the average skill mix
47 ratio of licensed and supervised unlicensed personnel to patients or residents, the incidents of
48 nosocomial infections, skin integrity data, patient injuries, patient falls, patient satisfaction data
49 and the method(s) used to provide for routine care and unplanned care needs by licensed nurses,
50 and further, upon request, to receive from said duly authorized representative, information
51 regarding the educational preparation and length of employment of said facility’s nursing staff

52 and to receive a copy of the comparative nursing care data report as outlined in chapter 118G,
53 section 24 subsection (a). The fee for said report shall be determined by the rate of reasonable
54 copying expenses.