

HOUSE No. 5188

Section 108 contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment L [as it relates to Section 108] of House, No. 5190). December 14, 2020.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing for a long term and congregate care coronavirus transmission reduction guidance report.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a long term and congregate care coronavirus transmission reduction guidance report, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

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

1 The department of public health shall issue a report detailing the rules, regulations,
2 guidance and best practices in place as of the effective date of this act to prevent the transmission
3 of the 2019 novel coronavirus, also known as COVID-19, from patients being discharged from
4 hospital facilities to nursing homes, skilled nursing facilities, rehabilitation centers and other
5 congregate care facilities. The report shall include summaries and references to the rules,
6 regulations, guidance and best practices on: (i) testing patients, including the frequency of
7 testing; (ii) testing staff, including the frequency of testing; (iii) protocols related to non-COVID-

8 19 hospitalizations, including discharge procedures; (iv) protocols related to COVID-19
9 hospitalizations, including discharge procedures; (v) the use of personal protective equipment for
10 patients over 70 years of age, including for staff who directly treat said patients; and (vi)
11 precautions for the transfer of patients from a hospital facility to a nursing home, skilled nursing
12 facility, rehabilitation center or other congregate care facility.

13 No later than February 1, 2021, the department of public health shall make the report
14 publicly available on the department's website and submit the report to the clerks of the house
15 and senate, the joint committee on public health and the joint committee on elder affairs.