HOUSE DOCKET, NO. 1022 FILED ON: 1/15/2013

HOUSE . . . . . No. 2035

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:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Moran	*18th Suffolk*

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HOUSE . . . . . No. 2035

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 2035) of Michael J. Moran requiring health care facilities to make annual reports relative to nursing care for patients. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *1505* OF 2011-2012.]

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 118G of the General laws, as appearing in the 2004 Official Edition, is hereby amended by adding the following new section:-

Section 28:

The division shall require hospitals, nursing homes, chronic care and rehabilitation hospitals, other specialty hospitals, clinics, including mental health clinics, all other health care institutions, organizations and corporations licensed or registered by the department of public health and health maintenance organizations as defined in chapter 176G to annually report appropriate data, including, but not limited to:

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

indicators of the nature and amount of nursing care directly provided by licensed nurses including, but not limited to, the average ratio of registered nurses to patients or residents and the average skill mix ratio of licensed and supervised unlicensed personnel to patients or residents, medication errors, number and grades of pressure sores, number of falls, number of injuries, 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
20 and 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
33 division pursuant to this section shall be made available annually in the form of printed reports
34 and through electronic medium derived from raw data and/or through computer-to-computer
35 access. All personal data shall be maintained with the physical safeguards enumerated in said
36 chapter.

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

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

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

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

52 information regarding the educational preparation and length of employment of said facility's
53 nursing staff and to receive a copy of the comparative nursing care data report as outlined in
54 chapter 118G, section 24 subsection (a). The fee for said report shall be determined by the rate
55 of reasonable copying expenses.