

By Mr. Edward L. Burke, a petition (accompanied by bill, Senate, No. 506) of Edward L. Burke for legislation to further regulate transfers from nursing pools. Health Care.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT FURTHER REGULATING NURSING POOLS.

*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 72Y of chapter 111 of the General Laws, as inserted  
2 in Section 128 of chapter 164 of the acts of 1988, is hereby  
3 amended by adding the following paragraph: —

4 Such regulations shall provide that (a) a nursing pool that  
5 transfers personnel from independent contractor status to  
6 employee status subsequent to December 1, nineteen hundred and  
7 eighty-eight, shall be entitled to adjust its prices to reflect all costs,  
8 without limitation, arising from the obligation imposed on such  
9 pool under federal, state, or local law to provide certain employee  
10 benefits, and (b) when there is an increase in the pay rate paid  
11 by a nursing pool to a particular class of medical personnel, the  
12 price that such pool may charge for the services of persons in such  
13 class shall increase sufficiently so as to maintain, with respect to  
14 that class of medical personnel, the same percentage between the  
15 administrative expenses and the pay rate as existed on Decem-  
16 ber 1, nineteen hundred and eighty-eight, except that such per-  
17 centage may be adjusted from time to time subsequent to  
18 December 1, nineteen hundred and eighty-eight, to reflect the  
19 transfer of personnel from independent contractor status to  
20 employee status as provided for under clause (a) of this sentence.

