

HOUSE . . . . . No. 6675

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*The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, September 19, 1985.

The committee on Health Care, to whom was referred the petition (accompanied by bill, House, No. 6502) of Frances F. Alexander and another for legislation to authorize state nursing home ombudsman access to the records of certain patients in long term care facilities, reports recommending that the bill accompanying bill (House, No. 6675) ought to pass.

For the committee,

JOHN C. McNEIL.

**The Commonwealth of Massachusetts**

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

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AN ACT PROVIDING THAT THE STATE NURSING HOME OMBUDSMAN SHALL HAVE ACCESS TO THE RECORDS OF CERTAIN PATIENTS IN LONG TERM CARE FACILITIES.

*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 second paragraph of section 30 of chapter 19A of the  
2 General Laws, as appearing in chapter 544 of the acts of 1983, is  
3 hereby amended, by inserting, after the word "designee," in line 7,  
4 the words:— If the Ombudsman or his/her designee believing a  
5 complaint situation exists which might only be resolved by the  
6 inspection of the resident's personal, financial or medical records,  
7 and if the resident lacks the capacity to give informed consent, and  
8 the resident has no guardian, the said Ombudsman or his/her  
9 designee shall have access to the records of the resident without the  
10 resident's written authorization.