

HOUSE No. 2123

By Mr. Moran of Boston, a petition (accompanied by bill, House, No. 2123) of Michael J. Moran and Christine E. Canavan for legislation to require health care facilities to make annual reports relative to nursing care for patients. Public Health.

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.

PETITION OF:

NAME:

Michael J. Moran
Christine E. Canavan

DISTRICT/ADDRESS:

18th Suffolk
10th Plymouth

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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

3 Section 28:

- 4 a. The division shall require hospitals, nursing homes, chronic care and rehabilitation
5 hospitals, other specialty hospitals, clinics, including mental health clinics, all other
6 health care institutions, organizations and corporations licensed or registered by the
7 department of public health and health maintenance organizations as defined in chapter
8 176G to annually report appropriate data, including, but not limited to:
- 9 i. measures which differentiate between severity of patient illness, readmission
10 rates, length of stay, patient/family satisfaction with care;
 - 11 ii. indicators of the nature and amount of nursing care directly provided by licensed
12 nurses including, but not limited to, the average ratio of registered nurses to
13 patients or residents and the average skill mix ratio of licensed and supervised
14 unlicensed personnel to patients or residents, medication errors, number and
15 grades of pressure sores, number of falls, number of injuries, number of
16 nosocomial infections and number of preventable hospitalizations;
 - 17 iii. documentation of defined nursing interventions such as clinical assessment by a
18 licensed provider, pain measurement and management, skin integrity
19 management, patient education and discharge planning; and
 - 20 iv. documentation of patient safety measures such as restraint checks, seizure
21 precautions and suicidal precautions, to enable purchasers of group health
22 insurance policies and health care services and for the public at large to make
23 meaningful financial and quality of care comparisons.
- 24 b. The division shall consult with interested parties, including but not limited to; the group
25 insurance commission, the Massachusetts nurses association, the Massachusetts health
26 data consortium, the Massachusetts hospital association, the public health council,

27 Massachusetts senior action council, associated industries of Massachusetts, a large
28 labor union, the division of medical assistance, the board of registration in nursing, the
29 division of insurance, the Massachusetts association of health maintenance
30 organizations, and a national council of quality assurance accreditation expert to
31 develop methodologies for collecting and reporting data pursuant to this section and to
32 plan for its use and dissemination to culturally diverse populations.

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

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

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

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

44 (o) upon request, to receive from a duly authorized representative of the facility, disclosure of
45 said facility's nursing care data, including but not limited to, statistics on the nature and amount of care
46 directly versus indirectly provided by licensed nurses in the facility, including the average ratio of
47 registered nurses to patients or residents and the average skill mix ratio of licensed and supervised
48 unlicensed personnel to patients or residents, the incidents of nosocomial infections, skin integrity data,
49 patient injuries, patient falls, patient satisfaction data and the method(s) used to provide for routine care
50 and unplanned care needs by licensed nurses, and further, upon request, to receive from said duly
51 authorized representative, information regarding the educational preparation and length of employment of
52 said facility's nursing staff and to receive a copy of the comparative nursing care data report as outlined in
53 chapter 118G, section 24 subsection (a). The fee for said report shall be determined by the rate of
54 reasonable copying expenses.