

**HOUSE . . . . . No. 2138**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to improve the delivery of Health Care. ..

*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 2. Chapter 111 of the General Laws is hereby amended by inserting after  
2 section 53G the following section:–

3 Section 53H. As used in this section the following words shall, unless the context clearly  
4 requires otherwise, have the following meanings:–

5 “Checklist of Care”, steps to be taken by a team of healthcare providers to decrease  
6 patient harm during a given procedure.

7 “Medical error”, the failure of medical management of a planned action to be completed  
8 as intended or the use of a wrong plan to achieve an outcome.

9 The Department of Public Health shall promulgate regulations for the development and  
10 implementation of checklists of care that hospitals shall use to prevent medical errors and reduce  
11 healthcare-associated infection rates. The department may require hospitals to report annually  
12 on their use of the checklists. The department shall promulgate regulations to enforce the  
13 provisions of this section no later than December 31, 2010.