

HOUSE No. 1021

The Commonwealth of Massachusetts

PRESENTED BY:

Denise Provost

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 adoption of the accompanying bill:

An Act relative to accessible medical equipment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Dennis A. Rosa</i>	<i>4th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

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By Ms. Provost of Somerville, a petition (accompanied by bill, House, No. 1021) of Denise Provost, Dennis A. Rosa and Kay Khan for legislation to require the Department of Public Health to update regulations governing licensed health care facilities with requirements relative to the federal standards for accessible medical equipment. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to accessible medical equipment.

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 111 of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by inserting after section 5S the following new section:-

3 Section 5T. (a) The department shall incorporate into its regulations governing licensure
4 of health care facilities, including, but not limited to, hospitals, long term care facilities, clinics,
5 hospice programs and hospital dialysis units, requirements that such health care facilities secure
6 accessible medical diagnostic equipment that meets or exceeds the technical standards for
7 accessibility developed by the U.S. Access Board in accordance with Section 4203 of the Patient
8 Protection and Affordable Care Act (Public Law 111-148, 124 State. L. 119), 29 U.S.C. § 794(f)
9 when replacing or purchasing new equipment, including, but not limited to examination tables,
10 examination chairs, weigh scales, mammography equipment, x-ray, imaging and other diagnostic
11 radiological equipment. Health care facilities licensed by the department must maintain operable
12 accessible diagnostic medical equipment at a level that meets the needs of its patient population.

13 (b) The department shall issue guidance to licensed physicians regarding the technical
14 standards for accessibility developed by the U.S. Access Board in accordance with Section 4203
15 of the Patient Protection and Affordable Care Act (Public Law 111-148, 124 State. L. 119), 29
16 U.S.C. § 794(f). Such guidance shall also describe best practices for the safe provision of health
17 care to individuals with accessibility needs.

18 SECTION 2. Chapter 111 of the General Laws, as appearing in the 2014 Official
19 Edition, is hereby amended by inserting in section 25C, the following new subsection:-

20 (o) The department shall evaluate the availability of, or need for, accessible diagnostic
21 medical equipment that meets or exceeds the technical standards for accessibility developed by
22 the U.S. Access Board in accordance with Section 4203 of the Patient Protection and Affordable
23 Care Act (Public Law 111-148, 124 State. L. 119), 29 U.S.C. § 794(f) when making a
24 determination of need.