

SENATE No. 1159

The Commonwealth of Massachusetts

PRESENTED BY:

Brian A. Joyce

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 regarding notification of patient observation status.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>	
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	<i>4/22/2015</i>

SENATE No. 1159

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 1159) of Brian A. Joyce for legislation regarding notification of patient observation status. Public Health.

The Commonwealth of Massachusetts

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

An Act regarding notification of patient observation status.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 111 of the General Laws is hereby amended by inserting after section 51J the
2 following section:

3 Section 51K. (a) Each hospital shall provide each patient that the hospital places in
4 inpatient or observation status oral and written notice of such placement not later than twenty-
5 four hours after such placement, unless such patient has been discharged or has left the hospital
6 prior to the expiration of the twenty-four hour period. Such oral and written notices shall include

7 (1) a statement whether the patient has been admitted to the hospital as an inpatient or is
8 in observation status;

9 (2) a statement that observation status may affect the patient’s Medicare, Medicaid, or
10 private insurance coverage for

11 (A) hospital services, including medication and pharmaceutical supplies; or

12 (B) skilled nursing facility care following the patient's discharge; and

13 (3) a recommendation that the patient contact his or insurance plan to better understand
14 the implications of being placed in observation status.

15 (b) The written notice described in subsection (a) of the section shall be signed and dated
16 by the patient receiving the notice or such patient's legal or other authorized representative.

17 (c) The Department shall promulgate such regulations as are necessary to implement this
18 section.