HOUSE DOCKET, NO. 3498 FILED ON: 1/17/2025

HOUSE . . . . . No. 2477

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr.

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 patient access to certain health care services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
John J. Lawn, Jr.	*10th Middlesex*	*1/17/2025*

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HOUSE . . . . . No. 2477

By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 2477) of John J. Lawn, Jr. relative to competent interpreter services in acute-care hospitals. Public Health.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to patient access to certain health care services.

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

SECTION 1. Chapter 111 of the General Laws is hereby amended by striking out section 25J, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 25J. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

"Non–English speaker", a person who cannot speak or understand, or has difficulty with speaking or understanding, the English language because the speaker primarily or only uses a spoken language other than English.

"Competent interpreter services", interpreter services performed by a person who is fluent in English and in the language of a non–English speaker, who is trained and proficient in the skill and ethics of interpreting and who is knowledgeable about the specialized terms and concepts that need to be interpreted for purposes of receiving emergency care or treatment.

13 (b) Every health care facility, as defined in section 25B, shall provide competent
14 interpreter services in connection with all services provided to every non–English speaker who is
15 a patient or who seeks appropriate care or treatment. Based on the volume and diversity of the
16 non–English-speaking patients or persons seeking appropriate care or treatment, each such
17 facility shall use reasonable judgment as to whether to employ, or to contract for the on-call use
18 of one or more interpreters for particular languages when needed, or to use competent telephonic
19 or televiewing interpreter services. However, such hospital shall only use competent telephonic
20 or televiewing interpreter services in situations where there is either (1) no reasonable way to
21 anticipate the need for employed or contracted interpreters for a particular language; or (2) there
22 occurs, in a particular instance, an inability to provide competent interpreter services by an
23 employed or contracted interpreter.

24 (c) The receipt by any non–English speaker of interpreter services shall not be deemed
25 the receipt of a "public benefit" under any provision of law restricting benefits or assistance on
26 the basis of immigrant status.

27 (d) Substantial compliance with the provisions of this section shall be a requirement of
28 licensing or relicensing by the department under section 51, and the department may promulgate
29 regulations under said section 51 for the implementation of this section.

30 (e) Any non–English speaker, who is denied appropriate health care services by a health
31 care facility by reason of such facility's not having exercised reasonable judgment in making
32 competent interpreter services available, as required by this section, or the attorney general upon
33 receiving written notice from a regulating state agency that such facility is substantially failing to
34 comply with applicable interpreter requirements, shall have a right of action in the superior court

35 against such facility for declaratory or injunctive relief. A non–English speaker bringing such
36 action shall not be required to exhaust any administrative remedies that may be available to him
37 and may be awarded damages for any actual harm suffered, but at least $250 in damages shall be
38 awarded for each violation, together with such costs, including expert fees and attorney's fees, as
39 may be reasonably incurred in such action. Such action shall be brought within three years of any
40 such failure to provide competent interpreter services.