

# HOUSE . . . . . No. 3986

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Kip A. Diggs***

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*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 addressing delayed patient discharges.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>1/16/2025</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>4/17/2025</i>
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>6/10/2025</i>

# HOUSE . . . . . No. 3986

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By Representative Diggs of Barnstable, a petition (accompanied by bill, House, No. 3986) of Kip A. Diggs relative to patient discharges. Financial Services.

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## The Commonwealth of Massachusetts

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

An Act relative to addressing delayed patient discharges.

*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 is hereby amended by inserting after  
2           section 51D the following section:-

3           Section 51D½. (a) For the purposes of section, the following words shall, unless the  
4           context clearly requires otherwise, have the following meanings:

5           “Delayed patient discharge”, a situation where a patient remains in a hospital bed beyond  
6           the completion of medical treatment due to unresolved health insurance authorization issues,  
7           disputes over coverage or unavailability of in-network post-hospital care providers.

8           “Health insurance company”, a company as defined in section 1 of chapter 175 that  
9           engages in the business of health insurance.

10          (b)(1) All health insurance companies operating within the commonwealth shall employ  
11          or contract with dedicated care coordinators to facilitate hospital discharge and transition  
12          planning for patients requiring post-hospital care at nursing homes, skilled nursing facilities or

rehabilitation centers. Dedicated care coordinators shall be available outside of standard business hours, including evenings and weekends, to address health insurance authorization needs and ensure timely patient discharges.

(2) All health insurance companies operating within the commonwealth shall: (i) provide hospitals with real-time access to secure electronic platforms containing patient health insurance information relevant to discharge planning; and (ii) issue timely updates to patients and hospitals on the status of discharge authorizations and arrangements.

(c) Hospitals shall ensure timely discharge processes by collaborating with licensed health insurance companies and utilizing the secure electronic platforms provided under clause (i) of paragraph (2) of subsection (b).

(d) Any health insurance company operating within the commonwealth that fails to comply with the requirements set forth in this section shall be subject to penalties determined by the department, including but not limited to: (i) fines not exceeding \$10,000 per documented instance of non-compliance; and (ii) public reporting of non-compliant entities in an annual report published by the department.

(e) The department shall promulgate rules and regulations necessary to enforce this section and may conduct audits of hospitals and health insurance companies compliance to determine compliance with this section.

(f) The department, in collaboration with the executive office of health and human services, shall prepare an annual report that shall include: (i) the number of documented delayed patient discharges; (ii) compliance rates among health insurance companies and hospitals; and (iii) any recommendations for improving discharge coordination and reducing delays. The report

35 shall be submitted, no later than December 31 of each year, to the chairs of the joint committee  
36 on public health and the clerks of the house of representatives and senate.

37 SECTION 2. This act shall take effect on January 1, 2026.