HOUSE DOCKET, NO. 1586 FILED ON: 1/20/2011

HOUSE . . . . . No. 1468

The Commonwealth of Massachusetts

PRESENTED BY:

Christine E. Canavan

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 establishing a patient care commission..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Christine E. Canavan	*10th Plymouth*
Geraldine M. Creedon	*11th Plymouth*
Sean Garballey	*23rd Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*
Benjamin Swan	*11th Hampden*

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By Ms. Canavan of Brockton, a petition (accompanied by bill, House, No. 1468) of Christine E. Canavan and others for an investigation by a special commission (including members of the General Court) relative to patient care. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2031* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing a patient care commission..

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. For the purposes of this Act, the following terms should have the following meanings:

"Direct patient care nurse", a registered or licensed practical nurse who has accepted direct

responsibility and accountability to carry out medical regimens, nursing or other bedside care for patients.

"Indirect patient care nurse", a registered or licensed practical nurse who has a presence in patient care areas but does not provide treatment and other bedside clinical care.

9 “Direct patient care staffing levels”, the ratio between direct-patient care nurses and the
10 number of patients cared for by the direct patient care nurses.

11 SECTION 2. There is hereby established a special, temporary commission entitled the
12 patient care commission, hereafter referred to as the commission, consisting of 7 persons as
13 follows: 1 appointed by the governor; 3 appointed by the speaker of the house of representatives;
14 and 3 appointed by the president of the senate. Of the 7 members, there shall be no more than 2
15 direct patient care nurses and 1 indirect patient care nurse. The members shall elect a chairman
16 and vice-chairman.

17 Members shall be subject to the provisions of chapter 268A as they apply to special state
18 employees. Each member shall have experience in healthcare, public policy, nursing, or hospital
19 management.

20 SECTION 3. In the course of its deliberations, the commission shall be charged with the
21 following duties:

22 to study and evaluate the acuity of patients in acute-care hospitals and the efficiency of
23 current direct patient care staffing levels within said hospitals;

24 to study and evaluate the quality of patient care at the bedside;

25 to determine the risks and benefits of varying staffing and direct patient care levels to
26 patients;

27 to determine the risk and benefits of varying staffing and direct-patient care levels to
28 licensed staff and direct patient care team, with specific focus given to potential impact on
29 professional licensure and hospital liability in dollars to patients; and

30 to determine the risks and benefits of varying staffing and direct patient care levels to
31 acute-care hospitals.

32 SECTION 4. The commission may hold public meetings and hold fact-finding hearings
33 to assist in the collection and evaluation of data and testimony as it may deem necessary. Any
34 research, analysis or other staff support that the Commission reasonably requires shall be
35 provided by the department of public health.

36 SECTION 5. The governmental bodies having authority to make appointments to the
37 Commission shall make said appointments within sixty days of the effective date of this act.
38 After 60 days has elapsed from the effective date of this act, the failure of one or more
39 appointing authorities to make an appointment shall not prevent the commission from meeting or
40 beginning its work and a quorum of the commission shall be comprised of at least one half of the
41 actually sitting members of the commission.

42 SECTION 7. The commission shall submit its findings and final recommendations in a
43 report to the governor, members of the general court, the secretary of the health and human
44 services, and the commissioner of public health within 18 months after the first meeting of the
45 commission.