

HOUSE No. 2164

The Commonwealth of Massachusetts

PRESENTED BY:

Joyce A. Spiliotis

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 passage of the accompanying bill:

An Act Realtive to Patient Safety.

PETITION OF:

NAME:

Mary E. Grant

DISTRICT/ADDRESS:

6th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PATIENT SAFETY.

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 51 of Chapter 111 of the General Laws is hereby amended by inserting at the end thereof
2 the following:

3 Each hospital in the Commonwealth that operates an Emergency Room shall annually file with the
4 Department, within thirty (30) days of the start of the hospital fiscal year, a written operating plan
5 designed to eliminate emergency room overcrowding and diversions. The plan shall include the
6 following:

- 7 1) A comprehensive assessment of emergency room wait times for the prior fiscal year, including the
8 average wait time and the number of complaints submitted to the hospital regarding wait times in the
9 emergency room, and a review of steps taken to reduce the wait time. The assessment shall also
10 include the number of hours the emergency room was on diversion status, broken down by day of the
11 week, and the actual number of emergency diversions for the prior fiscal year;
- 12 2) A summary of the specific measures that the hospital will take in the current fiscal year to eliminate
13 overcrowding in the emergency room, such as adjusting elective surgery schedules to reduce
14 variability;
- 15 3) The anticipated impact the plan will have on staffing ratios and, after the first year, the actual impact
16 the plan has had for the previous year;
- 17 4) A defined set of measures by which to assess the plan's success, such as the number of emergency
18 room diversions, the average wait time to receive emergency services, and/or the percentage of
19 patients in a bed within one hour of arriving in the emergency room;

20 The Department shall notify the hospital that the plan has been approved or disapproved within twenty
21 (20) days after filing, based on a determination as to whether the plan adequately addresses the needs of
22 emergency room patients. If such plan has not been acted upon by the Department within twenty (20)
23 days, the plan shall be deemed approved. If the Department disapproves of such plan, the hospital shall

24 submit a revised plan within twenty (20) days. If the revised plan continues to be disapproved, or if a
25 hospital fails to submit a plan, the commissioner may take any action deemed appropriate.