

SENATE No. 140

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 to increase the safety of individuals with disabilities relying on life-support equipment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>John C. Velis</i>	<i>Second Hampden and Hampshire</i>	<i>3/3/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/3/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/5/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/15/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/16/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/16/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/29/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>4/1/2021</i>

SENATE No. 140

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 140) of Patrick M. O'Connor, John C. Velis, Bruce E. Tarr, Michael O. Moore and other members of the General Court for legislation to increase the safety of individuals with disabilities relying on life-support equipment. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 73 OF 2019-2020.]

The Commonwealth of Massachusetts

—————
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
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An Act to increase the safety of individuals with disabilities relying on life-support equipment.

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. Section 51D of Chapter 111 is hereby amended by striking lines 82 to 84,
2 inclusive, and inserting thereof the following:-

3 (6) scheduled follow-up medical appointments or verification that such information was
4 provided separately;

5 (7) descriptions of any pharmaceutical, rehabilitative, or life-supporting technology,
6 machinery, or equipment required to maintain medical stability, together with instructions for
7 maintenance and upkeep of said technology; and

8 (8) such other information as the department may require.

9 SECTION 2. Said section 51D is hereby further amended by adding, after the word
10 “services” in line 154, the following:-

11 Prior to the release of a client of the department from acute, chronic, or long term care
12 from a hospital, the hospital shall communicate the discharge plan and provisions for aftercare
13 services to registered nurse or licensed practical nurse employed at the patient’s residence or, in
14 the case of a client with intellectual or developmental disabilities, residential facility. In the case
15 of a client with intellectual or developmental disabilities, prior to the release of a client from a
16 hospital, a registered nurse or licensed practical nurse who receives a discharge plan must review
17 the discharge plan with particular adherence to requirements to maintain life-supporting
18 technology, machinery, or equipment used in the client’s residence or residential facility, as well
19 as any individualized education program or individualized service plan that exists under the
20 client’s name, and must sign in writing to acknowledge a full understanding of the requirements
21 of the discharge plan and knowledge of any individualized education program or individualized
22 service plan. The registered nurse or licensed practical nurse shall advise any residential facility
23 personnel, family members, and personal care attendants on the requirements of the discharge
24 plan, as well as any hospital recommendations, to ensure constant protection and safety of the
25 client.

26 SECTION 3. The department of public health shall develop guidelines and regulations as
27 necessary to implement the provisions of this Act. The department of public health shall conduct
28 any necessary public awareness campaigns necessary to publicize the provisions of this Act and
29 to ensure that families of clients, hospitals, and medical facilities are aware of their respective
30 rights and responsibilities under this Act. The department shall post on its website guidance,

31 regulations, and any other informational materials that may assist clients' families, hospitals, and
32 medical facilities in the implementation of and compliance with this Act.

33 SECTION 4. This act shall go into effect immediately upon its passage.