

**SENATE . . . . . No. 2657**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***James B. Eldridge***

*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 safety in nursing homes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>James Arciero</i>	<i>2nd Middlesex</i>	
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>4/17/2020</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>4/17/2020</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>4/17/2020</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>4/17/2020</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>4/17/2020</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>4/17/2020</i>
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>4/17/2020</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>4/20/2020</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/20/2020</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/20/2020</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>4/20/2020</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>4/21/2020</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>4/21/2020</i>

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2657) (subject to Joint Rule 12) of James B. Eldridge, James Arciero, Steven Ultrino, Peter Capano and other members of the General Court for legislation relative to patient safety in nursing homes. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to patient safety in nursing homes.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to address critical patient safety needs in nursing homes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

*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 72 of Chapter 111 of the General Laws is hereby amended by  
2 striking out the words, “such intervals as the department shall specify in its rules and  
3 regulations” and inserting in place thereof the following words:- “any time”.

4           SECTION 2. Said Section 72 is hereby amended by adding the following paragraph to  
5 the end thereof:-

6           The department may require that employees of convalescent and nursing homes,  
7 infirmaries maintained in towns, rest homes, charitable homes for the aged and intermediate care  
8 facilities for the developmentally disabled be tested for certain diseases or have their temperature  
9 taken as a condition of reporting for work.

10 SECTION 3. Section 72M of Chapter 111 is hereby amended by adding the following  
11 paragraph to the end thereof:-

12 Notwithstanding any general or special law to the contrary, during a public health  
13 emergency or a state of emergency declared by the governor, the department may intervene in  
14 the operation of a facility. During a public health emergency or a state of emergency declared by  
15 the governor, the department may take actions or issue orders to prevent death or injury to the  
16 facility's patients and employees, including but not limited to, taking control of a facility or  
17 appointing a temporary receiver.