

Acts (2020)

Chapter 384

AN ACT ENSURING SAFE PATIENT ACCESS TO EMERGENCY CARE.

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. Chapter 17 of the General Laws is hereby amended by the adding the following section:-

Section 21. The department of public health shall promulgate regulations relative to patient access to hospital emergency rooms or departments that would require all hospitals in the commonwealth to meet minimum criteria and standards that ensure safe, timely and accessible patient access to hospital emergency rooms or departments at all times. The regulations shall include, but not be limited to: (a) criteria and standards related to: (1) legible indoor and outdoor signage; (2) indoor and outdoor lighting; (3) best-practice wayfinding signage; and (4) security and monitoring of all emergency department access points; (b) minimum requirements for proper security monitoring of any prominent hospital door or entrance that is locked at

night and through which a patient may try to enter; and (c) any other safety feature that the department deems necessary to ensure daytime or nighttime entry to an emergency room or department.

In promulgating the regulations, the department shall: (a) ensure that all patients, including patients at all levels of physical, sensory and brain-based function, are able to access hospital emergency rooms or departments; and (b) consider the most-current published industry standards and best practices, including, but not limited to, standards under the federal Americans with Disabilities Act, local codes, regulations, including regulations promulgated by the architectural access board, and any guidance or resources from the Facility Guidelines Institute Inc. and the International Association for Healthcare Security and Safety.

SECTION 2. The department of public health shall convene a working group on patient access to hospital emergency rooms or departments to report on and to make recommendations to inform the regulations required pursuant to section 21 of chapter 17 of the General Laws. The working group shall submit its report, including any recommendations, to the clerks of the senate and the house of representatives, the house and senate committees on ways and means, the joint committee on public health and the department of public health not more than 180 days after the termination of the governor's March 10, 2020 declaration of a state of emergency.

SECTION 3. The department of public health shall promulgate the regulations required pursuant to section 21 of chapter 17 of the General Laws not more than 1 year after the termination of the governor's March 10, 2020 declaration of a state of emergency. The

regulations shall be informed by the report and recommendations of the working group on patient access to hospital emergency rooms or departments established pursuant to section 2.

Approved, January 15, 2021.