

SENATE No. 2931

The Commonwealth of Massachusetts

—
In the One Hundred and Ninety-First General Court
(2019-2020)
—

SENATE, October 22, 2020.

The committee on Senate Ways and Means to whom was referred the Senate Bill ensuring safe patient access to emergency care (Senate, No. 2767), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2931).

For the committee,
Michael J. Rodrigues

SENATE No. 2931

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

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:

1 SECTION 1. Chapter 17 of the General Laws is hereby amended by the adding the
2 following section:-

3 Section 21. The department of public health shall promulgate regulations requiring all
4 hospitals in the commonwealth to meet minimum criteria and standards that ensure safe, timely
5 and accessible patient access to hospital emergency rooms or departments at all times. The
6 regulations shall include, but not be limited to: (i) criteria and standards related to: (A) legible
7 indoor and outdoor signage; (B) indoor and outdoor lighting; (C) best-practice wayfinding
8 signage; and (D) security and monitoring of all emergency department access points; (ii)
9 minimum requirements for proper security monitoring of any prominent hospital door or
10 entrance that is locked at night and through which a patient might try to enter; and (iii) any other
11 safety feature that the department deems necessary to ensure daytime or nighttime entry to an
12 emergency room or department.

13 In promulgating the regulations, the department shall: (i) ensure that all patients,
14 including patients at all levels of physical, sensory and brain-based function, have access
15 required under this section; and (ii) consider the most-current published industry standards and
16 best practices, including, but not limited to, standards under the federal Americans with
17 Disabilities Act, local codes, regulations, including regulations promulgated by the architectural
18 access board, and any guidance or resources from the Facilities Guidelines Institute and the
19 International Association for Healthcare Security and Safety.

20 SECTION 2. The department of public health shall convene a working group to report on
21 patient access to hospital emergency rooms or departments and to make recommendations to
22 inform the regulations required under section 21 of chapter 17 of the General Laws. The working
23 group shall submit its report, along with its recommendations, to the clerks of the senate and the
24 house of representatives, the house and senate committees on ways and means, the joint
25 committee on public health and the department not more than 6 months after the termination of
26 the governor's March 10, 2020 declaration of a state of emergency.

27 SECTION 3. The department of public health shall promulgate the regulations required
28 by section 21 of chapter 17 of the General Laws not more than 1 year after the termination of the
29 governor's March 10, 2020 declaration of a state of emergency. The regulations shall be
30 informed by the recommendations of the working group established under section 2.