ANAMASS Legislative Agenda
2023-2024
193rd General Court

Priority Agenda Items

Safe Staffing

1. **H 2214** An Act establishing a commission on quality patient outcomes and professional nursing practice
   **Sponsors:** Kay Khan and Susan L. Moran
   **SB1467** - An Act establishing a commission on quality patient outcomes and nurse staffing
   **Sponsor:** Sen. Bruce E. Tarr (R)

   **Summary:** Creates a 17-member bipartisan Commission involving multiple stakeholders to review and make recommendations regarding best nurse staffing practices designed to improve the patient care environment, quality outcomes, and nurse satisfaction. locates the commission within, but not subject to the control of the Executive Office of Health and Human Services; articulates the qualifications and terms of commission members; identifies several areas of examination for the Commission relative to nurse staffing levels; requires the commission to file an annual report with the legislature by March 1.

   **Bill Text:** [Bill H.2214](malegislature.gov)   [Bill S.1467](malegislature.gov)

   **Status:** Referred to Joint Committee on Public Health

   **Recommended Position:** Support

   For a copy of previous testimony please click [HERE](#)

Nurses On Boards

2. **H 2213/S1404** An Act Relative to Acute Hospital Governance

   **Summary:** SECTION 1. Section 51 of Chapter 111 is hereby amended by adding at the end thereof the following new paragraph:
   All acute-care hospitals as defined in section twenty-five B, shall have a registered nurse holding a current unencumbered license from the board of registration in nursing as a sitting and voting member of the governing entity responsible for developing the organization’s strategic plan, structure, systems, policies and programs.

   **Bill Text:** [Bill H.2213](malegislature.gov)   [Bill S.1404](malegislature.gov)

   **Sponsors:** Representative Kay Khan and Senator Joan Lovely

   **Status:** Referred to Joint Committee on Public Health

   **Recommended Position:** Support

   For a copy of previous testimony please click [HERE](#)
3. **H 2212 An Act creating a nursing advisory board.**  
   **Sponsor:** Kay Khan  
   **Summary:** establishes a Nursing Advisory Board within the Executive Office of Health and Human Services, to consist of 8 members with a demonstrated background in nursing or health services research, and who represent the continuum of health care settings and services; the bill is intended to deal with the perceived and projected shortage of nurses in the Commonwealth.  
   **Bill Text:** [Bill H.2212 (malegislature.gov)](http://malegislature.gov)  
   **Recommendations:** Amend to include/represent work being done by current Nursing Council on Workforce Sustainability

**Workplace Violence**  
ANAMASS supports legislation addressing the prevention of workplace violence. There are two separate bills addressing health care employers/facilities to develop plans to prevent workplace violence. We have begun to look at the differences between these bills, primarily around who bears responsibility for workplace violence (employer or perpetrator), PTO vs. unpaid leave to seek victims’ services/legal assistance; otherwise the bills are very similar. ANAMASS compared each bill side by side to determine how best to recommend language which will move these bills forward. A joint bill was sponsored by the Joint Committee on Public Safety and Homeland Security; ANAMASS provided written testimony to the House Committee on Ways and means.

4. **S 1538/ H 2381 An Act requiring health care facilities to develop and implement programs to prevent workplace violence.**  
   **Senate Sponsors:** Jason M. Lewis  
   **House Sponsors:** Michael J. Moran, Steven S. Howitt  
   **Bill Text:** [Bill S.1538 (malegislature.gov), Bill H.2381 (malegislature.gov)](http://malegislature.gov)  

5. **S 1539/H 2330 An Act requiring health care employers to develop and implement programs to prevent workplace violence.**  
   **Senate Sponsors:** Joan B. Lovely, Paul R. Feeney, Robyn K. Kennedy, Jack Patrick Lewis  
   **House Sponsors:** Denise Garlick et al  
   **Bill Text:** [Bill S.1539 (malegislature.gov), Bill H.2330 (malegislature.gov)](http://malegislature.gov)  
   **Summary:** Provides protections for health care employees who are victims of violence or assault and battery.  
   **Status:** Referred to Joint Committee on Public Safety and Homeland Security  
   Pending ANAMASS HPC meetings with bill sponsors to discuss expanding the definition of workplace violence to include psychological assaults such as bullying, acts of psychological aggression, lateral violence, racism, etc.  
   **Recommended Position:** Support with additional proposed language below
Background: The ANAMASS Health Policy Committee and BOD has for the past two legislative sessions supported legislation requiring health care employers to develop and implement programs to prevent workplace violence. There have been multiple bills presented, which the HPC has done extensive comparisons of, in particular Victoria Grimes-Holsinger and Ekta Srinivasa, and written testimony in support of specific aspects of and lobbied for the inclusion of language related to psychological violence/bullying.

Proposed Efforts to include and/or create legislative and regulatory language which expands the definition of workplace violence to include psychological assaults such as bullying, acts of psychological aggression, lateral violence, racism, etc.

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1.3.22 H 2465 H2506 Written Testimony
7.9.20 testimony SB 2752
7.25.19 SB 1093 Written testimony
Comparison of Violence bills- Holsinger

**Nurse Licensure Compact**

6. **S747, An Act relative to nurse licensure compacts/HD1211 An Act relative to Nurse Licensure Compact in MA**
   **Sponsor:** Senator Barry R. Finegold, and Representative Kay Khan
   **Summary:** Authorizes Massachusetts to participate in the NCSBN Nurse Licensure Compact.
   **Status:** Referred to the committee on Health Care Financing
   For a copy of 2021-2022 ANAMASS Testimony; Please click [HERE](https://malegislature.gov/Bills/193/H1211)

**Surgical Smoke**

7. **S1332/H2192 An Act protecting patients and health care workers from exposure to surgical smoke**
   **Sponsor:** Senator Joanne M. Comerford, and Representative James K. Hawkins
   **Summary:** All hospitals and freestanding ambulatory surgical facilities licensed in the commonwealth under this chapter shall adopt policies to ensure the elimination of surgical smoke by use of a smoke evacuation system for any procedure that generates surgical smoke from the use of energy-based devices including, but not limited to, electrosurgery and lasers.
   **Status:** Referred to the committee on Public Health
   For a copy of 2023-2024 ANAMASS Testimony; Please click [HERE](https://malegislature.gov/Bills/193/H1211)
Scope of Practice

8. **H1539, An Act to Relative to Determining Capacity and Invoking the Health Care Proxy.**

   **Sponsor:** Representative Danielle W. Gregoire, William J. Driscoll, Jr. et al

   **Summary:** This bill will give Nurse Practitioners legal authority to determine capacity regarding medical decision making and the ability to invoke the health care proxy. Currently, this authority is limited in statute to an “attending physician” and was not addressed in the legislation granting Full Practice Authority to Nurse Practitioners.

   **Bill text:** [https://malegislature.gov/Bills/193/HD3903](https://malegislature.gov/Bills/193/HD3903)

   **Status:** Referred to Joint Committee on the Judiciary

   **Recommended Position:** Support

Safe Patient Handling

9. **H2247/S1436 An Act relative to safe patient handling and mobility in certain health care facilities**

   **Sponsors:** Representative Sarah K. Peake and Senator Susan L. Moran

   **Summary:** By December 1, 2023, the governing body of a hospital or the quality assurance committee of a nursing home shall adopt and ensure implementation of a safe patient handling and mobility program to identify, assess, and develop strategies to control risk of injury to patients and direct caregivers associated with the lifting, transferring, repositioning, or movement of a patient or equipment, such that manual lifting or transfer of patients is minimized in all cases and eliminated when feasible and manual patient handling or movement of all or most of a patient’s weight is restricted to emergency, life-threatening, or otherwise exception circumstances. Within six months of the date of enactment, each health care facility shall establish a safe patient handling and mobility committee through the creation of a new committee or by assigning the functions of a safe patient handling committee to an existing committee. The purpose of the committee is to design and recommend the process for implementing a safe patient handling and mobility program and to oversee the implementation of the program. At least half the members of the safe patient handling committee shall be non-managerial employees who provide direct care to patients and shall include but not be limited to nurses, certified nursing assistants, physical therapists, occupational therapists, maintenance staff and infection control employees.

   **Bill Text:** Bill H.2247 (malegislature.gov) Bill S.1436 (malegislature.gov)

   **Status:** Referred to Joint Committee on Public Health

   **Recommended Position:** Support

   For a copy of the 2023-2024 ANAMASS Testimony please click [HERE](#)

   For a copy of 2021-2022 ANAMASS Testimony please click [HERE](#)

NP Scope of Practice

10. **H2144 An act to promote team-based care**

    **Sponsors:** Representative Gerard J. Cassidy

    **Summary:** This bill would reinstate physician oversight over Nurse Practitioners and limit their ability to practice independently.

    **Status:** Referred to Joint Committee on Public Health

    **Bill Text:** [https://malegislature.gov/Bills/193/H2144](https://malegislature.gov/Bills/193/H2144)

    **Recommended Position:** OPPOSE
Also being Tracked
The HPC asks the Board to direct the committee on how many of these initiatives we should seek to use resources to support.

Long Term Care Staffing
ANAMASS has previously provided testimony and supported the regulatory change to improve staffing regulations in long term care. The Revised regulations became effective on 4/1/2021; for more information see https://www.mass.gov/service-details/standards-for-long-term-care-facilities. ANAMASS provided testimony prior to the release of those revised regulations Please Click HERE. It would be preferable if the bill language referred to the ANA Principles for Nurse Staffing.

   Senate Sponsors: Patricia D. Jehlen, Thomas M. Stanley, Joanne M. Comerford, Jack Patrick Lewis
   House Sponsors: Thomas M. Stanley, Kate Lipper-Garabedian
   Bill Text: Bill S.379 (malegislature.gov) Bill H.648 (malegislature.gov)
   Status: Referred to Joint Committee on Elder Affairs
   Hearing scheduled for 04/10/2023 from 09:30 AM-01:00 PM in A-1
   Recommended Position: Support with recommendations re: language to refer to the ANA Principles for Nurse Staffing
   For a copy of the 2023-2024 written testimony, please click here.

12. H615 An Act to ensure the quality of care in nursing homes
   Sponsors: Representative Ruth B. Balser
   Summary: For the purpose of this section, “hours of care per resident per day” shall mean the total number of hours worked by registered nurses, licensed practical nurses, and nursing assistants, including certified nurse aides with direct resident care responsibilities, for each 24 hour period, divided by the total census of the facility for each day. Long-term care facilities providing Level I, II, or III care shall provide sufficient nursing personnel to meet resident nursing care needs, based on acuity, resident assessments, care plans, census and other relevant factors as determined by the facility. Sufficient staffing must include a minimum number of hours of care per resident per day of 4.1 hours, of which at least 0.75 hours must be care provided per resident by a registered nurse. The facility must provide adequate nursing care to meet the needs of each resident, which may necessitate staffing that exceeds the minimum required hours of care per resident per day.
   Bill Text: Bill H.615 (malegislature.gov)
   Status: Referred to Joint Committee on Elder Affairs
   Recommended Position: Support with recommendations re: language to refer to the ANA Principles for Nurse Staffing
   For a copy of 2021-2022 ANAMASS Testimony; Please click HERE:

Nurse Staffing/Other

13. H3620 An Act to encourage, and improve, the level of availability of nursing staff
Presenter: Michael S. Day (By Request)
Summary: Authorizes the Executive Office of Health and Human Services, and under it, the Department of Public Health, to create a Nursing Scholarship Program.
2a.) This Nursing Scholarship Program (NSP), shall provide a mechanism for all qualified students, who wish to enroll in an accredited Nursing Program, operated within The Commonwealth of Massachusetts, to receive specific assistance in obtaining grant, and/or scholarship aid, to compensate their educational, and related costs, as long as they meet certain specified standards.
Bill Text: Bill H.3620 (malegislature.gov)
Status: Referred to Joint Committee on Public Health
Recommended Position: Support with recommendations re: diversity