The law requiring safe patient assignment limits for ICU nurses is in effect and all hospitals and nurses must comply with the law in ALL ICUs in Massachusetts, the law requires that a staff nurse be assigned one patient at a time. ONLY if the staff nurse has assessed that it is safe for both patients may a nurse ACCEPT the care of a second patient. DPH-certified acuity tool must be used to aid them in making their assessments. At no time may a staff nurse accept the care of three (3) or more patients at a time.

**Documentation of Violation of MGL Chapter 111, Section 231 re: ICU Staffing**

**INSTRUCTIONS:**
1. **NOTIFY MANAGER AND REQUEST SOLUTION**
2. **NOTIFY THEM VIOLATION WILL BE REPORTED:** Inform them you intend to report the violation to the State’s Health Policy Commission (HPC), the Department of Public Health (DPH), and the Massachusetts Attorney General’s Office.
3. **SUBMIT FORM:** Fill out this form and the MNA will file a complaint detailing the violation with the HPC, DPH and the Attorney General.

**INFORMATION:**
Name of hospital: ___________________________ Name of unit: ___________________________
Date and time violation began: ___________ Room/bed numbers involved in violation: ___________
Duration of the violation: ___________ Name and title of manager notified about the violation: ___________
Name of nurse submitting this form: ___________ Email or best phone number: ___________

**DESCRIPTION OF VIOLATION:**
1. **Type of Violation (please check one of the following):**
   - [ ] 1:1 – A patient assigned to a nurse is assessed as 1:1, but the nurse has responsibilities for two (2) or more patients.
   - [ ] 2:1 – Both patients assigned to a nurse have been assessed as stable enough to be 2:1, but the nurse has responsibility for three (3) or more patients.

2. **Description of circumstances (please check all that apply):**
   - [ ] Forced nurse to accept care of additional patient(s) despite acuity
   - [ ] No staff coverage provided for nurse on meal break
   - [ ] No staff coverage provided while nurse is transporting patient
   - [ ] No staff coverage provided while nurse involved in lengthy bedside procedure
   - [ ] No staff coverage provided while nurse is involved in code or emergency response
   - [ ] Patient acuity/stability worsens and becomes 1:1, but no staff coverage provided to split 2:1 assignment
   - [ ] Nurse leaves due to illness or injury during shift with no staff replacement provided
   - [ ] Other rationale: ___________________________

3. **Was DPH certified acuity tool available and used to aid the nurse in assessing the patients’ stability?**
   - [ ] Yes  [ ] No

4. **What was the above named manager/administrator’s response when they were notified?**

5. **Please provide additional description or comments about this violation:** ___________________________

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*Please be advised that the MNA considers this document to be notice to the hospital/facility under Massachusetts General Law c.149, §187(c)(1), The Health Care Worker’s Whistle Blower Protection law.*

White: Manager/DON/CNO  Yellow: MNA (fax to 781-821-4445)  Pink: RN(s) completing the form

cc: HPC/DPH/AG