



# The Commonwealth of Massachusetts

## AN INITIATIVE PETITION

### FOR A LAW

Under Article XLVIII of the Amendments to the Constitution of the Commonwealth

## SUMMARY

This proposed law would limit how many patients could be assigned to a registered nurse in Massachusetts hospitals and certain other health-care facilities, but not rehabilitation or long-term care facilities. The maximum number of patients per registered nurse would be:

- In units with intensive care and critical care patients: 1, or 2 if the nurse assessed each patient's condition as stable.
  - In units with step-down/intermediate care patients: 3.
  - In units with post anesthesia care patients: 1 patient under anesthesia; 2 patients post anesthesia.
  - In units with operating room patients: 1 patient under anesthesia; 2 patients post anesthesia.
  - In the emergency department: 1 critical or intensive care patient, or 2 if the nurse assessed each patient's condition as stable; 2 urgent non-stable patients; 3 urgent stable patients; or 4 non-urgent stable patients.
  - In units with pediatric, medical, surgical, telemetry, or observational/outpatient treatment patients: 4.
  - In units with psychiatric, transitional care, or rehabilitation patients: 5.
  - In units with maternity patients: (a) active labor patients: 1 per nurse; (b) during birth: 1 mother per nurse, and 1 baby per nurse; (c) immediate postpartum: 1 mother and 1 baby per nurse, and in the case of multiple births, 1 additional baby per nurse; (d) postpartum: 6 patients per nurse; (e) intermediate care: 3 babies per nurse, plus a 4th if the nurse assessed each baby's condition as stable; (f) well babies: 6 per nurse.
  - In any other unit: 4 patients per nurse.
- The hospital or other covered facility would have to follow these limits

**FILING DEADLINES.** Initiative petitions must be submitted to local election officials for certification of signatures no later than **5 p.m. on Wednesday, November 20, 2013**. Local election officials must complete their certification no later than December 2, 2013. Thereafter, initiative petitions containing certified signatures must be retrieved by petitioners from the local election officials and then filed with the Elections Division, Office of the Secretary of the Commonwealth, One Ashburton Place, Room 1705, Boston, MA, no later than **5 p.m. on Wednesday, December 4, 2013**.

without reducing the staffing levels of other personnel who affect the quality of patient care. The proposed law would not override any collective bargaining agreement or other contract in effect on July 1, 2015 that set higher patient limits, but the proposed law's limits would take effect after any such agreement or contract expired.

The proposed law would also require a hospital or other covered facility to develop a patient acuity system to decide if the maximum number of patients assigned to a nurse on a particular shift should be lower than the above limits. The patient acuity system would have to be written to be easily used by nurses, and would consider factors such as the need for specialized equipment, the intensity of interventions and complexity of nursing judgments required, the skills of other personnel necessary to deliver quality care to each patient, and the physical proximity of patients and other health care resources. The Health Policy Commission would have to certify the patient acuity system as meeting the above criteria.

The Health Policy Commission would have to report a violation of patient assignment limits to the Attorney General, who could file suit to enforce the proposed law and obtain a civil penalty of \$25,000 for each day a violation continued after the Commission notified the hospital or other covered facility. The proposed law's requirements would be suspended during a state or nationally declared public health emergency. The Commission would issue regulations to implement the proposed law.

The proposed law would take effect on July 1, 2015. The proposed law states that if any of its parts were declared invalid, the other parts would stay in effect.

FIRST TEN SIGNERS

Karen A. Coughlin	30 Smith Road	Mansfield
Karen Ann Higgins	85 Keith Street	Weymouth
Donna Kelly-Williams	110 Mary Street	Arlington
Katherine Murphy	16 Powder Mill Road	Framingham
Karen Powers	235 Pleasant Street	Reading
Marie E. Ritacco	13 Sharry Lane	Auburn
Donna L. Stern	42 Adams Road, #13	Greenfield
Nora A. Watts	62 Warren Street	Westborough
Colleen E. Wolfe	181 Oxford Road	Charlton
Susan J. Wright Thomas	2 Christine Road	Hull

These names have been certified as names of registered voters in their places of residence. Original petition was filed on September 4, 2013.

SECRETARY OF THE COMMONWEALTH OF MASSACHUSETTS

REGISTRAR USE ONLY:

ONLY REGISTRAR MAY WRITE IN THIS AREA

CIRCULATOR INFORMATION

SPONSORS OF THIS PETITION MAY BE CONTACTED AT:

Petition B  
340 Turnpike Street  
Canton, MA 02021  
781-830-5752

CIRCULATOR AND SIGNER INFORMATION

## INSTRUCTIONS TO CIRCULATORS AND SIGNERS

- **DO NOT ALTER THIS INITIATIVE PETITION IN ANY WAY. ADDITIONAL MARKINGS ON THIS PETITION WILL DISQUALIFY ANY SIGNATURES ON THIS PETITION SHEET.**
- For your signature to be valid, you must be a registered voter in the city or town named below and your signature should be written substantially as registered. DO NOT sign the same petition more than once.
- If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence.

City or Town

ONLY REGISTERED VOTERS OF

MAY SIGN THIS SHEET.

(OVER)

B

ATTENTION VOTERS: Before signing, read signer information on other side. CITY OR TOWN:

REGISTRAR USE ONLY	I. SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated on other side)		II. NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)		WARD	PREC.
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						

**WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying, or suppressing this petition: fine of up to \$1,000 or imprisonment for up to one year.**

## INSTRUCTIONS TO REGISTRARS

REGISTRAR  
INFORMATION

- You must time-stamp or write in date and time these papers are received.
- Check thus ✓ against the name of each qualified voter to be certified. For names not certified, use the code at the right. Draw a line through any blank spaces not containing signatures.
- Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
- You must complete certification no later than December 2, 2013.

- N - no such registered voter at that address, or address is illegible.
- S - unable to identify signature as that of voter because of form of signature, or signature is illegible.
- W - wrong community.
- T - already signed papers for this question.

## CERTIFICATION OF SIGNATURES

At least three registrars' names must be signed or stamped below.

\_\_\_\_\_  
city or town

\_\_\_\_\_  
month and day

We certify that \_\_\_\_\_  
(number of names certified – use numbers and words)

above signatures checked thus ✓ are names of qualified voters from this city or town.

\_\_\_\_\_  
Registrars of Voters or Election Commissioners of

\_\_\_\_\_  
city or town

\_\_\_\_\_  
county

City or Town

ONLY REGISTERED VOTERS OF

MAY SIGN THIS SHEET.

**B**