



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:** \_\_\_\_\_

*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