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April 10, 2015

Quality Improvement and Patient Protection Committee
Massachusetts Health Policy Commission
50 Milk Street, 8th Floor
Boston, MA 02109

Dear Committee Members:

Thank you for the opportunity to offer comments pursuant to the draft regulations implementing last session's law limiting the number of patients a nurse can care for in an Intensive Care Unit (ICU). As the President of the Mass. AFL-CIO, I offer these comments on behalf of the over 400,000 union members I represent, including many of the nurses who work in our state's ICUs. While the nurses are the best positioned to speak to many of the issues raised in these draft regulations, I will focus my comments on the importance of ensuring that at hospitals where nurses and health care workers are unionized, it is the union and the workers who determine who participates in any committees devised under these regulations that are used to create and choose and acuity tool to support the nurses in their patient assessments.

Whether it is the Massachusetts Nurses Association representing nurses or another union representing other health care workers and ancillary staff, the union and the workers should decide who is on these committees. You are placing a very important responsibility with the committee who will ultimately create and select this acuity tool. Therefore, it is crucial to ensure that the direct care workers are appropriately represented on the committee- and that the members are not handpicked by hospital management. Unless you ensure that the workers and their unions select the appointees to the committee, these committees and any tools they develop will be meaningless.

As a former legislator, I would also caution you against drafting regulations that reinterpret the law that was passed unanimously by the state legislature. Preserving the legislative intent preserves the integrity of the process. I know that several of my former legislative colleagues have already weighed in on this issue.

Thank you for the opportunity to comment on these important issues.

Sincerely,

Steven A. Tolman
President