

HOUSE No. 998

By Mr. Linsky of Natick, petition of David Paul Linsky and others for legislation to require insurance coverage for registered nurse first assistant services in insurance policies and health service contracts issued in the Commonwealth. Financial Services.

The Commonwealth of Massachusetts

PETITION OF:

David Paul Linsky
Mark C. Montigny
Michael E. Festa

Christine E. Canavan
Cleon H. Turner

In the Year Two Thousand and Seven.

AN ACT REGARDING REGISTERED NURSE FIRST ASSISTANTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 175 of the General Laws is hereby amended
2 by inserting after section 47V the following section:—
3 Section 47W. When any individual or group blanket accident and
4 sickness insurance policy and health service contract delivered,
5 issued or renewed by an insurer or nonprofit health service corpora-
6 tion provides for payment of surgical first assisting benefits or serv-
7 ices on behalf of individual subscribers and members within the
8 Commonwealth or all group members having a principal place of
9 employment within the Commonwealth, such provision shall be con-
10 strued as providing for payment of a registered nurse, licensed under
11 Section 80B of Chapter 112, who provided such first assistant serv-
12 ices.

1 SECTION 2. Chapter 176A of the General Laws is hereby
2 amended by inserting after section 8V the following section:—
3 Section 8W. When any contract between a subscriber and the cor-
4 poration under an individual or group hospital service plan deliv-
5 ered, issued or renewed in the commonwealth provides for the

6 payment of surgical first assisting benefits on behalf of individual
7 subscribers and members within the Commonwealth and to all group
8 members having a principal place of employment within the com-
9 monwealth, such provisions shall be construed as providing for pay-
10 ment of a registered nurse, licensed under section 80B of chapter
11 112, who provided such first assistant services.

1 SECTION 3. Chapter 176B of the General Laws is hereby
2 amended by inserting after section 4V the following section:—

3 Section 4W. When provisions for payment for surgical first
4 assisting benefits or services exist in any subscription certificate
5 under an individual or group medical service agreement delivered,
6 issued or renewed in the Commonwealth, such provisions shall be
7 construed as providing for payment of a registered nurse, licensed
8 under section 80B of Chapter 112, who provided such first assistant
9 services.

1 SECTION 4. Section 4 of chapter 176G of the General Laws, as
2 appearing in the 1998 Official Edition, is hereby amended by
3 inserting after the word “period” in line 46, the following sen-
4 tence:—

5 Such health maintenance organization contract, when providing
6 for payment of surgical first assisting benefits or services, shall be
7 construed as providing for payment of a registered nurse, licensed
8 under Section 80B of Chapter 112, providing first assistant services

1 SECTION 5. (a) The department of public health shall prepare a
2 report on the provision of services by registered nurse first assistants
3 and its effect on the quality of care for patients. Said report shall be a
4 compilation of data reported by hospitals licensed under Chapter 111
5 and insurers licensed under Chapters 175, 176A, 176B and 176G.
6 Such hospitals and insurers shall collect and report data that
7 includes, but is not limited to, nursing data describing outcomes of
8 the registered nurse first assistant, and may consider outcome mea-
9 sures which differentiate between severity of patient illness, mor-
10 tality and morbidity rates, adverse complications, patient and family
11 satisfaction with nursing care, patient safety, pain management, skin
12 integrity management, medication administration and management,
13 patient education and discharge planning.

14 (b) The commissioner of public health shall prepare said report in
15 consultation with the commissioner of insurance, the director of the
16 board of registration in nursing, the Massachusetts Nurses Associa-
17 tion, Massachusetts Chapter I of the Association of PeriOperative
18 Registered Nurses and the Massachusetts Hospital Association.

19 c) The department shall file said report with the house and senate
20 committees on ways and means and the joint committee on health
21 care financing not later than September 1, 2008.