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TO: Massachusetts Acute Care Hospital CEOs

FROM: Madeleine Biondolillo, MD, Bureau Director *MB*
Iyah K Romm, Director of Policy, Health Planning, and Strategic Development

CC: Massachusetts Nurses Association, Massachusetts Hospital Association

DATE: November 9, 2012

SUBJECT: Impact of Implementation of Mandatory Overtime Provisions of Chapter 224

Chapter 224 of the Acts of 2012 adds a new section 226 to chapter 111 of the Massachusetts General Laws effective as of November 5, 2012. This new section prohibits hospitals from requiring a nurse to work mandatory overtime except in the case of an emergency situation where the safety of the patient requires it and there are no reasonable alternatives. Hospitals will be required to report all instances of mandatory overtime and the circumstances requiring its use to the Department.

The new Health Policy Commission (HPC), established as part of Chapter 224, is charged with developing guidelines and procedures "to determine what constitutes an emergency situation for the purposes of allowing mandatory overtime." Thus, until the HPC develops the guidelines and procedures, the Department does not expect to receive any reports of mandatory overtime in compliance with the new section 226 and will not be specifying a reporting format. Should a hospital wish to voluntarily report such instances, it may do so, in a format of its choosing. Any questions regarding this circular letter may be sent to Kara Murray (kara.murray2@state.ma.us).