

AN ACT TO INCREASE THE SAFETY OF INDIVIDUALS WITH DISABILITIES RELYING ON LIFE-SUPPORT EQUIPMENT

H.282 / S.168, filed by Rep. D. Rogers and Sen. O'Connor

This bill will require that when an individual is discharged from a medical facility, the discharge plan is appropriately reviewed with residential facility nursing staff. The bill also increases accountability for medical equipment monitoring by staff.

CONTEXT

- In 2017, an individual named Tommy tragically passed away in his group home, after a nighttime seizure went unnoticed by staff.
- Tommy had been having nocturnal seizures since childhood, and he relied on a seizure monitor that rested by his bedside and sounded a loud alarm to alert others when a seizure was happening.
- Two weeks before his death, Tommy was hospitalized. During this time, his seizure monitor ran out of power. Upon Tommy's return, staff did not notice that the monitor had no power, despite the fact that it emitted a sound when power was low.
- Tommy's death was a tragic event. This bill is filed in Tommy's memory to ensure that such a tragedy never occurs again.

THE BILL

Instructs the Department of Public Health to develop regulations requiring that:

- Prior to discharging a patient with intellectual and developmental disabilities (IDD), a hospital must communicate the discharge plan to a registered nurse or licensed practical nurse employed at the patient's residential facility.
- The nurse must review and sign the discharge plan, acknowledging full understanding of the instructions, with adherence to requirements to maintain life-supporting technology, machinery, or equipment.
- The nurse shall advise any residential facility personnel, family members, and/or personal care attendants on the requirements of the discharge plan and other notes.
- The bill also requires that staff at residential facilities be adequately trained to operate and fix lifesaving devices, such as seizure monitors.

THE IMPACT

It only takes one moment of oversight, miscommunication, or lack of training for disaster to strike. It is critical that the appropriate residential facility staff are trained to handle these care instructions, to ensure that discharge orders and medical equipment are properly used—preventing further tragedies.

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