

MNA Victory for Patient Safety!

A Ban on the Dangerous Practice of Mandatory Overtime Signed into Law!



On August 6, 2012 Governor Deval Patrick signed into law a health care payment reform bill that includes a ban on the dangerous practice of mandatory overtime.



This is a major victory for the MNA/NNU, all nurses in Massachusetts and most importantly, for our patients. The new law went into effect on November 5, 2012.

- The law prohibits mandatory overtime, which is defined as “any hours worked by a nurse in a hospital setting to deliver patient care beyond the predetermined and regularly scheduled number of hours that the hospital and nurse have agreed that the employee shall work, provided that in no case shall such predetermined and regularly scheduled number of hours exceed 12 hours in any given 24 hour period.”
- The law prohibits nurses from working mandatory overtime except in the case of “an emergency situation where the safety of the patient requires its use and when there is no reasonable alternative.”
- “Emergency situation” will be defined by a newly established health policy commission that will conduct a public hearing and consult nurses to determine what constitutes an emergency situation.
- The law requires that hospitals report all instances of mandatory overtime to the Massachusetts Department of Public Health and that these reports be made available to the public.
- The law protects nurses by prohibiting any discrimination, dismissal, discharge or any other employment decision based on a nurses’ refusal to accept work in excess of the limitations on mandatory overtime.
- The law prohibits mandatory overtime being used as an alternative to providing appropriate staffing for the level of patient care required.



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This law affects all Massachusetts hospitals. We are dedicated to making sure this law works the way that the Legislature intended. If your hospital continues to use mandatory overtime after November 5, 2012 please contact the MNA so that we can notify the appropriate state agencies and the Legislature of any facility that is not in compliance.

Massachusetts
Nurses
Association



We are the *Power*
Behind Our Practice!



If you have questions about this new law and how it will affect you, please visit our website at www.massnurses.org.

