Every maternity patient, at the time of pre-admission written summary.

- (g) upon request to receive an itemized bill including third party reimbursemens paid to-ward said bill, regardless of the sources of pay-ment;

- (h) in the case of a patient suffering from any form of breast cancer, to complete information on all alternative treatments which are medically viable.

Except in cases of emergency surgery, at least ten days before a physician operates on a pa-tient to insert a breast implant, the physician shall inform the patient of the disadvantages and risks associated with breast implantation. The information shall include, but not be limited to, the standardized written summary pro-vided by the department. The patient shall sign a statement provided by the department ac-knowledging receipt of said standardized written summary. Nothing herein shall be con-strued as causing any liability of the depart-ment due to any action or omission by said department relative to the information provid-ed pursuant to this paragraph. The department of public health shall:

- (1) develop a standardized written summary, as set forth in this paragraph in layman’s lan-guage that discloses side effects, warnings, and cautions for a breast implantation opera-tion within three months of the date of enact-ment of this act;

- (2) update as necessary the standardized written summary due to any change or omission by said department relative to the information provid-ed pursuant to this paragraph. The department of public health shall:

- (3) distribute the standardized written sum-mary to each hospital, clinic, and physician’s office and any other facility that performs breast implants; and

- (4) provide the physician inserting the breast implant with a statement to be signed by the patient acknowledging receipt of the standard-ized written summary.

Every maternity patient, at the time of pre-ad-mission, shall receive complete information from an admitting hospital on its annual rate of primary caesarian sections, annual rate of repeat caesarian sections, annual rate of total caesarian sections, annual percentage of women who have had a caesarian section who have had a subsequent successful vaginal birth, an-nual percentage of deliveries in birthing rooms and labor-delivery-recovery or labor-delivery-recovery-postpartum rooms, annual percent-age of deliveries by certified nurse-midwives, annual percentage which were continuously externally monitored only, annual percentage which were continuously internally monitored only, annual percentage which were monitored both internally and externally, annual percent-ages utilizing intravenous, inductions, augmenta-tion and analgesics, episiotomies, spinals, epidurals and general anesthesia, and its annual per-cent-age of women breast-feeding upon dis-charge from said hospital.

A facility shall require all persons, including students, who examine, observe or treat a pa-tient or resident of such facility to wear an identification badge which readily discloses the first name, licensure status, if any, and staff position of the person so examining, ob-erving or treating a patient or resident; pro-vided, however, that for the purposes of this paragraph, the word facility shall not include a community day and residential setting licensed or operated by the department of mental re-tardation.

Any person whose rights under this section are violated may bring, in addition to any other action allowed by law or regulation, a civil ac-tion under sections sixty B to sixty E, inclusive, of chapter two hundred and thirty-one.

No provision of this section relating to confidentiality of records shall be construed to prevent access to any such records in connection with any peer review or utilization review procedures applied and implemented in good faith.

No provision herein shall apply to any institu-tion operated by and for persons who rely ex-clusively upon treatment by spiritual means through prayer for healing, in accordance with the creed or tenets of a church or religious de-nomination, or patients whose religious beliefs limit the forms and qualities of treatment to which they may submit.

No provision herein shall be construed as limit-ing any other right or remedies previously ex-isting at law.

You may contact the Office Manager at:

Caring Health Center
1049 Main Street • Springfield, MA 01103
Tel: (413) 739-1100 • TTY: (413) 739-1996
Web: www.caringhealth.org

Caring Health Center is a 24-hour medical facility.
After hours, call: (413) 739-1100.

El Caring Health Center es un centro médico de 24 horas. Fuera de Horas, llame al: (413) 739-1100.

This health center is a Health Center Program grant-ee under 42 U.S.C. 254b, and a deemed Public Health Service employee under 42 U.S.C. 233(g)-(n).
Patients' and Residents' Rights

Section 70E. As used in this section, "facility" shall mean any hospital, institution for the care of unwed mothers, clinic, infirmary maintained in a town, convalescent or nursing home, rest home, or charitable home for the aged, licensed or subject to licensing by the department; any state hospital operated by the department; any "facility" as defined in section three of chapter one hundred and eleven; any private, county or municipal facility, department or ward which is licensed or subject to licensing by the department of mental health pursuant to section one of chapter nineteen or section one of chapter nineteen; any "facility" as defined in section one of chapter one hundred and twenty-three; the Soldiers Home in Holvoke, the Soldiers’ Home in Massachusetts; and any facility set forth in section one of chapter nineteen or section one of chapter nineteen B.

The rights established under this section shall apply to every patient or resident in said facility. Every patient or resident shall receive written notice of the rights established herein upon admittance into such facility. Except that a patient is a member of a health maintenance organization and the facility is owned by or controlled by such organization, such notice shall be provided at the time of enrollment in such organization, and also upon admittance to said facility. In addition, such rights shall be conspicuously posted in said facility.

Every such patient or resident of said facility shall have, in addition to any other rights provided by law, the right to freedom of choice in his selection of a facility, or a physician or health service mode, except in the case of emergency medical treatment or as otherwise provided for by contract, or except in the case of a patient or resident of a facility named in section fourteen A of chapter nineteen; provided, however, that the physician, facility, or health service mode is able to accommodate the patient exercising such right of choice.

Every such patient or resident of said facility in which billing for service is applicable to such patient or resident, upon reasonable request, shall receive from a person designated by the facility an itemized bill reflecting laboratory charges, pharmaceutical charges, and third party credits and shall be allowed to examine an explanation of said bill regardless of the source of payment. This information shall also be made available to the patient’s attending physician.

Every patient or resident of a facility shall have the right:

(a) upon request, to obtain from the facility in charge of his care the name and specialty, if any, of the physician or other person responsible for his care or the coordination of his care;
(b) to confidentiality of all records and communications to the extent provided by law;
(c) to have all reasonable requests responded to promptly and adequately within the capacity of the facility;
(d) to have from a person designated by the facility an explanation as to the relationship, if any, of the facility to any other health care facility or educational institution insofar as said relationship relates to his care or treatment;
(e) to obtain from a person designated by the facility a copy of any rules or regulations of the facility applicable to his conduct as a patient or resident;
(f) upon request, to receive from a person designated by the facility any information which the facility has available relative to financial assistance and free health care;
(g) upon request, to inspect his medical records and to receive a copy thereof in accordance with section seventy, and the fee for said copy shall be determined by the rate of copying expenses, except that no fee shall be charged to any applicant, beneficiary or individual representing said applicant or beneficiary for furnishing a medical record if the record is requested for the purpose of supporting a claim or appeal under any provision of the Social Security Act or federal or state financial needs-based benefit program, and the facility shall furnish a medical record requested pursuant to a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program within thirty days of the request; provided, however, that any person for whom no fee shall be charged shall present such information at the time of such requests that the purpose of said request is to support a claim or appeal under any provision of the Social Security Act or any federal or state financial needs-based benefit program;
(h) to refuse to be examined, observed, or treated by any facility staff without jeopardizing access to psychiatric, psychological, or other medical care and attention;
(i) to refuse to serve as a research subject and to refuse any care or examination when the primary purpose is educational or informational rather than therapeutic;
(j) to privacy during medical treatment or other rendering of care within the capacity of the facility;
(k) to prompt life saving treatment in an emergency without discrimination on account of economic status or source of payment and without delaying treatment for purposes of prior discussion of source of payment unless such delay can be imposed without material risk to his health, and this right shall also extend to those persons not already patients or residents of a facility if said facility has a certified emergency care unit;
(l) to informed consent to the extent provided by law;
(m) upon request to receive a copy of an itemized bill or other statement of charges submitted to any third party for the facility for care of the patient or resident and to have a copy of said itemized bill or statement sent to the attending physician of the patient or resident; and
(n) if refused treatment because of economic status or the lack of a source of payment, to prompt and safe transfer to a facility which agrees to receive and treat such patient. Said facility refusing to treat such patient shall be responsible for: ascertaining that the patient may be safely transferred; contacting a facility willing to treat such patient; arranging the transportation; accompanying the patient with necessary and appropriate professional staff to assist in the safety and comfort of the transfer, assure that the referred patient is not discharged from the transfer service until explained, and provide pertinent medical information about the patient's condition; and maintaining records of the foregoing.

Every patient or resident of a facility shall be provided by the physician in the facility the right:

(a) to informed consent to the extent provided by law;
(b) to privacy during medical treatment or other rendering of care within the capacity of the facility;
(c) to refuse to be examined, observed, or treated by students or any other facility staff without jeopardizing access to psychiatric, psychological or other medical care and attention;
(d) to refuse to serve as a research subject, and to refuse any care or examination when the primary purpose is educational or informational rather than therapeutic;
(e) to prompt life saving treatment in an emergency without discrimination on account of economic status or source of payment and without delaying treatment for purposes of prior discussion of source of payment unless such delay can be imposed without material risk to his health;
(f) upon request, to obtain an explanation as to the relationship, if any, of the physician to any other health care facility or educational institutions insofar as said relationship relates to his care or treatment;