HOUSE DOCKET, NO. FILED ON: 1/13/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Christopher G. Fallon**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General  
 Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to nursing facility and long term care claims.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Christopher G. Fallon | 33rd Middlesex |
| Paul J. Donato | 35th Middlesex |
| Susan Williams Gifford | 2nd Plymouth |
| Michael F. Rush | 10th Suffolk |
| Angelo J. Puppolo, Jr. | 12th Hampden |
| John V. Fernandes | 10th Worcester |

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1134 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to nursing facility and long term care claims.

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

Section 33 of Chapter 118E of the General Laws is hereby amended by striking it and inserting the following new section 33:—

Section 33. No claim for costs of a nursing facility and other long term care services may be made by the division under section 31 or 32 if the individual receiving medical assistance was permanently institutionalized, had notified the division that he had no intent on returning home, and had on the date of admission to the nursing facility or other medical institution long term care insurance that when purchased met the requirements of 211 C.M.R. 65.00.