

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

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 creating a special commission on institutional long term care services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Louis L. Kafka	8th Norfolk
Barbara A. L'Italien	18th Essex
Kathi-Anne Reinstein	16th Suffolk
Todd M. Smola	1st Hampden
Thomas M. Stanley	9th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1127 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT CREATING A SPECIAL COMMISSION ON INSTITUTIONAL LONG TERM CARE SERVICES.

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

1 **SECTION 1.** Notwithstanding any general or special laws to the contrary, there shall be
2 a special commission established to examine the Commonwealth's institutional long
3 term care system, which shall recommend a plan to provide a seamless transition to a
4 continuum of long term care services for elders and persons with disabilities that
5 recognizes the central place of consumer choice and consumer control in any long term
6 care setting; evaluate options and prepare policy recommendations regarding potential
7 savings to the commonwealth achieved by reducing the number of MassHealth licensed
8 nursing home beds; develop recommendations as to the criteria to be used to
9 determine which beds are de-licensed, provided that said criteria shall include at a
10 minimum established Quality Indicators and other quality measures, such as staffing
11 levels, turnover rate and training options for direct care staff; and to consider any
12 programmatic or financial incentives to reduce the number of nursing home beds,
13 convert said beds to subacute beds or other uses, or otherwise more efficiently use the
14 institutional long term care facilities in the Commonwealth.
15 The commission shall consist of 20 members, 1 of whom shall be the secretary of
16 health and human services or his designee, 1 of whom shall be the secretary of elder
17 affairs or her designee, 1 of whom shall be the director of the office of Medicaid or her
18 designee, 1 of whom shall be the Attorney General or her designee, 1 of whom shall be
19 the Auditor or his designee, 1 of whom shall be the house chair of the joint committee
20 on elder affairs, 1 of whom shall be the senate chair of the joint committee on elder
21 affairs, 1 of whom shall be the senate chair of the joint committee on health care

22 financing, 1 of whom shall be the house chair of the joint committee on health care
23 financing, 1 of whom shall be a consumers or consumer surrogates member of the PCA
24 quality home care workforce council approved by a majority of the Council, and 5
25 persons to be appointed by the governor, 1 of whom shall be a health care economist,
26 1 of whom shall be a representative of 1199SEIU, 1 of whom shall be a representative
27 of the Statewide Independent Living Council, 1 of whom shall be a representative of the
28 Massachusetts Extended Care Federation, 1 of whom shall be a representative of Mass
29 Home Care, 1 of whom shall be a representative of MassAging, and 1 of whom shall be
30 a representative of the Mass Alzheimers Association. The commission shall be co-
31 chaired by the senate and house chairs of the joint committee on elder affairs.
32 The commission shall meet within 30 days of passage, and not less than quarterly
33 thereafter, and shall release its first recommendations to the house and senate
34 committees on ways and means no later than December 31, 2008.

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