

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Candaras, Gale (SEN)

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:

Candaras, Gale (SEN)

First Hampden and Hampshire

Angelo J. Puppolo, Jr.

12th Hampden

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00398 OF.]

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 term care
3 system, which shall recommend a plan to provide a seamless transition to a continuum of long
4 term care services for elders and persons with disabilities that recognizes the central place of
5 consumer choice and consumer control in any long term care setting; evaluate options and
6 prepare policy recommendations regarding potential savings to the commonwealth achieved by
7 reducing the number of MassHealth licensed nursing home beds; develop recommendations as to
8 the criteria to be used to determine which beds are de-licensed, provided that said criteria shall
9 include at a minimum established Quality Indicators and other quality measures, such as staffing
10 levels, turnover rate and training options for direct care staff; and to consider any programmatic
11 or financial incentives to reduce the number of nursing home beds, convert said beds to sub-
12 acute beds or other uses, or otherwise more efficiently use the institutional long term care
13 facilities in the Commonwealth.

14 The commission shall consist of 15 members, 1 of whom shall be the secretary of health
15 and human services or his designee, 1 of whom shall be the secretary of elder affairs or her
16 designee, 1 of whom shall be the director of the office of Medicaid or her designee, 1 of whom
17 shall be the Attorney General or her designee, 1 of whom shall be the Auditor or his designee, 1
18 of whom shall be the house chair of the joint committee on elder affairs, 1 of whom shall be the
19 senate chair of the joint committee on elder affairs, 1 of whom shall be the senate chair of the

20 joint committee on health care financing, 1 of whom shall be the house chair of the joint
21 committee on health care financing, 1 of whom shall be a consumers or consumer surrogates
22 member of the PCA quality home care workforce council approved by a majority of the Council,
23 and 5 persons to be appointed by the governor, 1 of whom shall be a health care economist, 1 of
24 whom shall be a representative of 1199SEIU, 1 of whom shall be a representative of the
25 Statewide Independent Living Council, 1 of whom shall be a representative of the Massachusetts
26 Extended Care Federation, 1 of whom shall be a representative of Mass Home Care, and 1 of
27 whom shall be a representative of the Mass Alzheimer's Association. The commission shall be
28 co-chaired by the senate and house chairs of the joint committee on elder affairs.

29 The commission shall meet within 30 days of passage, and not less than quarterly
30 thereafter, and shall release its first recommendations to the house and senate committees on
31 ways and means no later than December 31, 2009.