

**HOUSE . . . . . No. 128**

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Natalie M. Higgins*

*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 adoption of the accompanying bill:

An Act to support equal access to community care for elders and the disabled.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>

<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Jerald A. Parisella</i>	<i>6th Essex</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>

**HOUSE . . . . . No. 128**

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By Ms. Higgins of Leominster, a petition (accompanied by bill, House, No. 128) of Natalie M. Higgins and others relative to equal access to community care for elders and disabled persons. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act to support equal access to community care for elders and the disabled.

*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 25 of Chapter 118E of the General Laws, as appearing in the 2010 Official  
2 Edition, is hereby amended in subsection (5) by striking the second paragraph and inserting in  
3 place thereof the following paragraph:-

4 In any case where the monthly income of an applicant or recipient is in excess of the  
5 exemptions allowed, the applicant or recipient, if otherwise eligible for Medicaid under this  
6 chapter, shall be liable to pay to the provider of medical care or service an amount which shall be  
7 equal to the excess income for a period of six consecutive months, which includes the period  
8 when such service was provided; provided, however that in such cases where the individual’s  
9 gross income is greater than 300% of the federal Supplemental Security Income level but less  
10 than the average monthly cost of nursing home care as calculated by the division and the  
11 individual is participating in a Home and Community Based Waiver, under 42 USC  
12 1396a(10)(a)(ii)(VI) or a PACE Program, under 42 USC 1396u-4 or 42 USC 1395eee, the

13 division shall charge a premium, equal to the difference between the individual's gross income  
14 and 300% of the federal Supplemental Security Income level, on a monthly basis. The division  
15 shall apply for any federal waivers necessary to implement this provision.