

HOUSE No. 3472

The Commonwealth of Massachusetts

PRESENTED BY:

Brian R. Mannel

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 relative to compensation for family caregivers.

PETITION OF:

NAME:

Brian R. Mannel

DISTRICT/ADDRESS:

2nd Barnstable

HOUSE No. 3472

By Mr. Mannal of Barnstable, a petition (accompanied by bill, House, No. 3472) of Brian R. Mannal relative to compensating providers of medical or supervisory care to family members. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to compensation for family caregivers.

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

1 Chapter 118E of the General Laws is hereby amended by inserting after section 9F, as
2 appearing in the 2012 Official Edition, the following section:-

3 Section 9G. (a) As used in this section, the following words shall, unless the context
4 clearly requires otherwise, have the following meanings:-

5 “Eligible person”, a resident determined by the division to be clinically eligible for long-
6 term care services pursuant to section 9.

7 “Family caregiver”, a person who is a family member of an eligible person and who
8 provides medical or supervisory care to the eligible person pursuant to this section.

9 “Family member”, a person who is related by consanguinity, legal custody, marriage or a
10 person with whom a family caregiver lives in a familial relationship.

11 (b) Notwithstanding any general or special law to the contrary, the division shall
12 establish, subject to appropriation, the availability of federal financial participation and all
13 required federal approvals and agreements, a program to provide monthly compensation to
14 family caregivers for providing medical and supervisory care of an eligible person, to be known
15 as the long-term family care program. A family caregiver may not receive compensation
16 pursuant to the long-term family care program if the eligible person resides in a long-term health
17 care or nursing facility.

18 (c) The division shall ensure that enrollment in the program is voluntary. All eligible
19 persons enrolling in the program have the right to disenroll from the program in any month upon
20 submitting a notice of disenrollment to the division or contracted entity. Disenrollment notices
21 received by the division or contracted entity by the twentieth day of the month shall be effective
22 on the first day of the following month.

23 (d) The division shall educate consumers and their families as to their enrollment choices
24 under the long-term family care program.

25 (e) The division shall promulgate any rules or regulations necessary to implement this
26 section.