

HOUSE No. 350

The Commonwealth of Massachusetts

PRESENTED BY:

Aaron Vega

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 home care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>David M. Nangle</i>	<i>17th Middlesex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>

<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 350

By Mr. Vega of Holyoke, a petition (accompanied by bill, House, No. 350) of Aaron Vega and others relative to home care. Elder Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to home care.

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. Section 13D of chapter 118E is hereby amended in the second paragraph by
2 adding after the words “as defined under section 71 of chapter 111” the following: and home
3 health agencies pursuant to Title XVIII, Section 1891 of the Social Security Act.

4 SECTION 2. Section 13D of Chapter 118E is further amended by adding, after the
5 second paragraph thereof, the following new paragraph: --

6 Rates for the home care program, as defined under sections 4 and 4B, of chapter 19A,
7 shall be adjusted on a biennial prospective basis by October 1st. The executive office shall
8 establish, in conjunction with the executive office of elder affairs, a base purchase of service and
9 a base personnel and operations per client per month capitation for the home care and enhanced
10 community options programs, or successor programs, to be used in establishing biennial
11 capitations pursuant to the provisions of this section and section 13C. Said capitations shall be
12 based on operating costs for aging services access points, including personnel costs that are

13 commensurate with personnel holding similar job responsibilities employed by state government
14 and private organizations; provided further, said operating costs shall include personnel costs
15 associated with wages, compensation and/or salary and associated employee-related costs to
16 personnel providing homemaker and personal care homemaker services; provided further
17 compensation earned by homemakers and personal care homemakers shall be no less than \$15
18 per hour by July 1, 2018; provided further, said base personnel and operations capitation for the
19 enhanced community options program shall be no less than ninety percent of the capitation for
20 the MassHealth community choices program as of July 1, 2016, and said base personnel and
21 operations capitation for the home care program shall be no less than sixty percent of the
22 personnel and operations capitation for the enhanced community options program. Said
23 capitations shall be reasonable and adequate to meet the costs which are incurred by efficiently
24 and economically operated home care program, considering factors necessary to meet the
25 updated costs of providing the home care program in conformity with the requirements of
26 chapter 19A and its regulations.