

HOUSE No. 03947

By Mr. Walsh of Lynn, for the committee on Health Care Financing, that the Bill relative to dementia patients in longterm care facilities (House, No. 347), ought to pass with an amendment substituting therefore a bill with the same title (House, No. 3947). February 16, 2012.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act relative to dementia patients in longterm care facilities.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to provide regulations for dementia special care units in longterm care facilities given the increased level of dementia among residents, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

□

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. Chapter 111 of the General Laws is hereby amended by inserting after section 71B
- 2 the following sections:-
- 3 Section 71C. (a) Notwithstanding any general or special law to the contrary, the department, in
- 4 consultation with the alzheimer's association of massachusetts and representatives from the
- 5 nursing home provider community, shall promulgate regulations to establish minimum standards
- 6 for dementia special care units to ensure safety and quality of services including:

7 1. Dementia-specific training for all direct care workers, activities directors and supervisors of
8 direct care workers in both traditional nursing homes and dementia special care units

9 2. Activities programs in dementia special care units that provide dementia-specific activities.

10 3. Guidelines for dementia special care unit physical design including, but not limited, to anti-
11 wandering methods and promoting a therapeutic environment.

12 (b) A licensee under section 71 that holds itself out to the public or advertises that it is a provider
13 of specialized services and programming for dementia special care units in long term care
14 facilities shall meet the standards set forth under this section in order to provide said services.

15 Nursing homes that operate dementia special care units shall disclose to consumers and the
16 department what specialized services the dementia special care unit provides for patients
17 affected by alzheimer's and related dementias.

18 (c) A licensee of the department under section 71 shall be required to provide dementia specific
19 training for all direct care workers, activities directors and supervisors of direct care workers in
20 facilities that do not hold themselves out to the public or advertise that they are providers of
21 specialized services and programming for dementia special care units in long term care facilities.

22 SECTION 2. Any regulation promulgated by the department under this section may not be used
23 as the basis for higher reimbursement rates for licensees under section 71.

24 SECTION 3. The department shall promulgate its initial regulations to implement this act no
25 later than January 1, 2013.