

**HOUSE . . . . . No. 720**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James Arciero*

*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 assisted living facility residences appeal of findings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>2/11/2021</i>

**HOUSE . . . . . No. 720**

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By Mr. Arciero of Westford, a petition (accompanied by bill, House, No. 720) of James Arciero relative to assisted living facility residence appeal processes. Elder Affairs.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to assisted living facility residences appeal of findings.

*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 19D of the Massachusetts General Laws as appearing in the 2018 official edition  
2 is hereby amended by inserting the following language at the end of Section 7:

3 The Executive Office of Elder Affairs shall implement an informal dispute resolution  
4 process that allows residences to contest findings issued for which corrective action is  
5 determined by the agency to be required. The agency shall offer an opportunity, at a residence’s  
6 request, to dispute and appeal the finding and such request must be submitted in writing within  
7 10 days of receipt of the agency’s issued findings The agency shall establish a 10 member  
8 committee (5 voting members and 5 alternates) to review appeals. The Committee shall include a  
9 representative from Massachusetts Senior Care Association, LeadingAge of Massachusetts,  
10 MassALA, the Commonwealth’s Ombudsman Program, defined in Chapter 19A and EOEA,  
11 who will serve as committee chairperson. Based upon its review of submitted materials, the  
12 committee may recommend that the finding be retained or deleted. At the committee meeting,  
13 all members (voting members and alternates) may participate in the discussion. Only voting

14 members may vote. If any member has a conflict of interest, he/she is to declare that conflict and  
15 will not participate in the discussion. Recommendations will be made based on committee  
16 consensus. If a consensus cannot be reached, a recommendation will be made by a majority vote.