

SENATE No. 2277

Senate, July 15, 2014 --Text of the Senate Bill to clarify the definition of a personal care attendant (being the text of Senate, No. 2273, printed as amended)

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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An Act to clarify the definition of a personal care attendant.

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. The second paragraph of section 9 of chapter 118E of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by adding the following sentence:-
3 Any program of home and community based services funded under this chapter or chapter 118G,
4 in which family members are permitted to serve as paid caregivers, shall include spouses within
5 the definition of “family member”.

6 SECTION 2. Section 70 of said chapter 118E, as so appearing, is hereby amended by
7 striking out the definition of “Personal care attendant” and inserting in place thereof the
8 following definition:-

9 “Personal care attendant”, a person, including a personal aide, who has been selected by a
10 consumer or the consumer’s surrogate to provide personal care services to persons with
11 disabilities or seniors under the MassHealth personal care attendant program or any successor
12 program or under any program operated by an entity under contract in whole or in part with
13 MassHealth.

14 SECTION 3. Section 73 of said chapter 118E, as so appearing, is hereby amended by
15 inserting after the word “program”, in line 22, the following words:- or under any program
16 operated by an entity under contract, in whole or in part, with MassHealth.

17 SECTION 4. The office of Medicaid shall promulgate rules and regulations as necessary
18 to implement and administer this act.