

SENATE No. 345

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 authorizing the option of providing basic common sense health services for residents of assisted living residences.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>2/2/2017</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>2/2/2017</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>2/2/2017</i>
<i>Brian Murray</i>	<i>10th Worcester</i>	<i>2/2/2017</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/3/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/3/2017</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>2/3/2017</i>

SENATE No. 345

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 345) of Patricia D. Jehlen, Barbara A. L'Italien, Tackey Chan, Kenneth I. Gordon and other members of the General Court for legislation to authorize the option of providing basic common sense health services for residents of assisted living residences. Elder Affairs.

The Commonwealth of Massachusetts

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

An Act authorizing the option of providing basic common sense health services for residents of assisted living residences.

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 1 of chapter 19D of the general laws, as appearing in the 2014
2 Official Edition, is hereby amended, by inserting after the definition for “elderly housing,” the
3 following new definition:-

4 “Basic Health Services”, injections; application or replacement of simple non-sterile
5 dressings; management of oxygen on a regular and continuing basis when the resident's medical
6 condition warrants; or application of ointments or drops.

7 SECTION 2. Section 10 of chapter 19D, is hereby amended by striking subsection (5),
8 and inserting in place thereof, the following subsection: -

9 (5) For all residents whose service plans so specify, either or both self-administered
10 medication management or basic health services by personnel meeting standards for professional
11 qualifications and training set forth in the regulations.

12 SECTION 3. Section 10 of chapter 19D, is hereby further amended in subsection (7) (c)
13 by inserting after the words, “for the provisions of,” the following: - “basic health services, or.”

14 SECTION 4. Section 10 of chapter 19D, is hereby further amended by inserting after
15 subsection (7) (d), the following new subsection:-

16 (e) The sponsor may advertise, market, and otherwise promote or provide or arrange for
17 the provision of basic health services for assisted living residents and shall administer such care
18 and services in accordance with the requirements set forth herein. A sponsor may not provide
19 basic health services without submitting an operating plan to the Executive Office of Elder
20 Affairs for its approval that explains how the Residence’s basic health services will meet the
21 needs of its resident population or individual residents therein, and the staff qualifications and
22 training for providing such services. Said operating plan shall specify whether all, or certain, of
23 the enumerated basic health services will be offered, steps taken to provide adequate support and
24 training of nurses who will provide such care, oversight and evaluation of basic health services,
25 provided, however, that no such plan shall restrict resident choice in the delivery of said services
26 by outside health professionals. The Executive Office of Elder Affairs is, hereby, authorized and
27 directed to promulgate appropriate regulations governing the application, criteria for approval or
28 disapproval, and ongoing oversight of basic health services authorized in this section.

29 SECTION 5. Section 11 of said chapter 19D, is hereby further amended by inserting after
30 the first sentence the following:-

“Except as permitted for residences which opt to provide basic health services,”.