

**SENATE . . . . . No. 397**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Pavel M. Payano***

*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 to improve infection control in Massachusetts home care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Pavel M. Payano</i>	<i>First Essex</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/30/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/30/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/8/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/21/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/21/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/9/2023</i>

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By Mr. Payano, a petition (accompanied by bill, Senate, No. 397) of Pavel M. Payano, Joanne M. Comerford, Jack Patrick Lewis, Michael O. Moore and other members of the General Court for legislation to improve infection control in Massachusetts home care. Elder Affairs.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act to improve infection control in Massachusetts 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. (a) Notwithstanding any general or special law to the contrary, the  
2 executive office of health and human services, in consultation with appropriate state agencies  
3 and relevant public stakeholders, shall develop and implement a mandatory infection control  
4 training program for all new and incumbent personal care attendants, as defined in section 70 of  
5 said chapter 118E, and all individual employees of home care agencies who provide home care  
6 services to a consumer in the consumer’s residence.

7           For purposes of this act, a home care agency shall be an entity or organization, however  
8 organized and whether conducted for profit or not for profit, that is owned, operated, maintained  
9 or advertised for the purpose of providing home care services in residential settings for  
10 compensation, provided, however, that home care agency shall not include an entity operated by  
11 either the federal government or the commonwealth providing home care services; an entity that  
12 limits its business exclusively to the provision of house cleaning services; an aging service

13 access points or ASAP entity as defined in section 4B of chapter 19A; a hospice program  
14 licensed under section 57D of chapter 111; or an adult foster care program regulated under 130  
15 CMR 408.

16 (b) The executive office shall establish contracts with labor-management training funds,  
17 community colleges, and other entities capable of conducting the training program and shall  
18 ensure the training program is implemented in a manner that is coordinated with the work of  
19 other state agencies and public and private entities involved in health care workforce training,  
20 recruitment, and retention.

21 SECTION 2. The executive office of health and human services shall establish the  
22 mandatory infection control and public health training program as outlined above no later than  
23 180 days from passage of this Act.