

**SENATE . . . . . No. 399**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Rebecca L. Rausch***

*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 protecting the rights of older adults and people with disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/29/2023</i>
<i>Carmin Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>5/8/2023</i>

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By Ms. Rausch, a petition (accompanied by bill, Senate, No. 399) of Rebecca L. Rausch for legislation to protect the rights of older adults and people with disabilities. 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)**  
\_\_\_\_\_

An Act protecting the rights of older adults and people with disabilities.

*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 70E of chapter 111 of the General Laws, as appearing in the 2020  
2 Official Edition, is hereby amended, in line 210, by inserting the following new paragraphs:-

3           Every nursing home shall establish a human rights committee which shall have the  
4 authority to receive and investigate, or investigate on its own motion, any complaints affecting  
5 the rights of residents. The department shall promulgate regulations regarding the composition,  
6 terms, and duties of said committee, and shall provide annual training for human rights  
7 committee members in its six regions.

8           The Commissioner shall designate not less than 2 employees per region as human rights  
9 officers who shall be trained in enforcement and resolution of violations of the human rights of  
10 nursing home residents and staff. The human rights officers shall work with nursing home  
11 human rights committees to provide assistance and support in processing resident complaints.

12           SECTION 2. Said section 70E of chapter 111, as so appearing, is hereby further amended  
13 by inserting at the end thereof the following words:- Rights of residents shall include the  
14 enumerated rights of nursing home residents, as appearing in the Omnibus Budget Reform Act of  
15 1987, guaranteed to residents receiving Medicare or Medicaid, which shall apply for all residents  
16 whether the resident receives Medicare or MassHealth benefits.

17           SECTION 3. Section 72 of said chapter 111, as so appearing, is hereby further amended  
18 by inserting at the end thereof the following:-

19           Notwithstanding any general or special law to the contrary, the department shall  
20 promulgate regulations to promote the dignity of residents, both permanent and temporary, of  
21 licensed nursing homes that are equivalent to the protection of rights of residents of facilities  
22 licensed by the department of mental health and the department of developmental disabilities.  
23 These regulations shall be effective not later than July 1, 2025.