

SENATE No. 403

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 resilience in older adults and people with disabilities during public health, environmental or technological emergencies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/6/2023</i>

SENATE No. 403

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 403) of Bruce E. Tarr and James B. Eldridge for legislation to improve resilience in older adults and people with disabilities during public health, environmental or technological emergencies. Elder Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to improve resilience in older adults and people with disabilities during public health, environmental or technological emergencies.

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. Notwithstanding any other general or special law to the contrary, whenever
2 a state of emergency is declared pursuant to section 5, of chapter 630 of the acts of 1950, and in
3 preparation for such declaration, the secretary of health and human services and the secretary of
4 elder affairs shall direct that health, public safety, and emergency management professionals
5 shall provide for the care of older adults and people with disabilities based on resilience factors
6 including, but not limited to (1) demographic, (2) physical, (3) psychological, (4) spiritual, and
7 (5) socio-cultural factors.

8 SECTION 2. A council on aging, established pursuant to section 8B of chapter 40 of the
9 general laws, as appearing in the 2020 edition, which receives an annual grant, and a local
10 housing authority established pursuant to section 3 of chapter 121B of the general laws as
11 appearing in said 2020 edition shall develop an inventory of the service and support needs of

12 older adults and people with disabilities who may require essential services in the event of
13 emergencies or disasters that occur within their jurisdiction.

14 For the purposes of this chapter, the term “essential services” is defined as follows:

15 “Essential services” means social, medical, psychiatric, or legal services necessary to
16 safeguard the disabled adult’s or elder person’s rights and resources and to maintain the physical
17 and mental well-being of such person. These services shall include, but not be limited to, the
18 provision of medical care for physical and mental health needs, assistance in personal hygiene,
19 food, clothing, adequately heated and ventilated shelter, and protection from health and safety
20 hazards but shall not include the taking into physical custody of a disabled adult or elder person
21 without that person’s consent.

22 Said inventory of needs, which shall be shared with state health, public safety and
23 emergency management professionals, in compliance with any relevant privacy laws and shall
24 not be public record, shall Include:

25 a)Name and contact information of any adult over age 60 or any person with a disability
26 regardless of age,

27 b)Identification of the specific needs of each person such as cane, walker, wheelchair,
28 medications, oxygen or other medical equipment of supplies. Said needs assessment shall
29 identify, needs for electrical power, communications system, protection from flooding, a
30 designated shelter location and alternative location capable of serving older adults, people with
31 disabilities, and their pets.