

**SENATE . . . . . No. 267**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Gale D. Candaras***

*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 creating a special commission on institutional long term care services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Gale D. Candaras</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Patricia D. Jehlen</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>
<i>Bruce E. Tarr</i>	
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

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By Ms. Candaras, a petition (accompanied by bill, Senate, No. 267) of Gale D. Candaras, Angelo J. Puppolo, Jr., Cory Atkins, Patricia D. Jehlen and other members of the General Court for legislation that provisions be made to create a special commission on institutional long term care services. Elder Affairs.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 306 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act creating a special commission on institutional long term care services.

*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 general or special laws to the contrary, there  
2 shall be a special commission established to examine the Commonwealth’s institutional long  
3 term care system, which shall recommend a plan to provide a seamless transition to a continuum  
4 of long term care services for elders and persons with disabilities that recognizes the central  
5 place of consumer choice and consumer control in any long term care setting; evaluate options  
6 and prepare policy recommendations regarding potential savings to the commonwealth achieved  
7 by reducing the number of MassHealth licensed nursing home beds; develop recommendations  
8 as to the criteria to be used to determine which beds are de-licensed, provided that said criteria  
9 shall include at a minimum established Quality Indicators and other quality measures, such as  
10 staffing levels, turnover rate and training options for direct care staff; and to consider any

11 programmatic or financial incentives to reduce the number of nursing home beds, convert said  
12 beds to sub - acute beds or other uses, or otherwise more efficiently use the institutional long  
13 term care facilities in the Commonwealth.

14           The commission shall consist of 15 members, 1 of whom shall be the secretary  
15 of health and human services or his designee, 1 of whom shall be the secretary of elder affairs or  
16 her designee, 1 of whom shall be the director of the office of Medicaid or her designee, 1 of  
17 whom shall be the Attorney General or her designee, 1 of whom shall be the Auditor or his  
18 designee, 1 of whom shall be the house chair of the joint committee on elder affairs, 1 of whom  
19 shall be the senate chair of the joint committee on elder affairs, 1 of whom shall be the senate  
20 chair of the joint committee on health care financing, 1 of whom shall be the house chair of the  
21 joint committee on health care financing, 1 of whom shall be a consumers or consumer  
22 surrogates member of the PCA quality home care workforce council approved by a majority of  
23 the Council, and 5 persons to be appointed by the governor, 1 of whom shall be a health care  
24 economist, 1 of whom shall be a representative of 1199 SEIU, 1 of whom shall be a  
25 representative of the Statewide Independent Living Council, 1 of whom shall be a representative  
26 of the Massachusetts Extended Care Federation, 1 of whom shall be a representative of Mass  
27 Home Care, and 1 of whom shall be a representative of the Mass Alzheimer' s Association. The  
28 commission shall be co-chaired by the senate and house chairs of the joint committee on elder  
29 affairs.

30           The commission shall meet within 30 days of passage, and not less than  
31 quarterly thereafter, and shall release its first recommendations to the house and senate  
32 committees on ways and means no later than 24 months after passage.