

HOUSE No. 521

The Commonwealth of Massachusetts

PRESENTED BY:

Jonathan Hecht

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.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>

<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Timothy R. Madden</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>Byron Rushing</i>	<i>9th Suffolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>

<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>

HOUSE No. 521

By Mr. Hecht of Watertown, a petition (accompanied by bill, House, No. 521) of Jonathan Hecht and others for an investigation by a special commission (including members of the General Court) relative to institutional long term care. Elder Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act creating a special commission on institutional long term 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. Notwithstanding any general or special laws to the contrary, there shall be
2 established a Special Commission on Institutional Long Term Care. This Commission shall
3 evaluate options and prepare policy recommendations necessary to address excess skilled
4 nursing home bed inventory, to reform the skilled nursing home licensing and de-licensing
5 processes, and to establish more rational processes for the closure of skilled nursing homes. Such
6 recommendations shall include policy options concerning the following:

7 a) Potential savings to the Commonwealth and improvements to care delivery that could
8 be realized by reducing the number of skilled nursing facility beds;

9 b) Criteria to be used to determine which beds should be de-licensed, including but not
10 limited to quality care standards and measures of regional geographic need;

11 c) Potential incentives for skilled nursing home operators that would help to reduce the
12 number of skilled nursing facility beds and/or would facilitate conversion of under-utilized beds
13 to other uses;

14 d) Improvements to the MassHealth reimbursement system for skilled nursing facilities;
15 and

16 e) Additional reforms to strengthen the public hearing process for nursing home closures
17 and sales; and

18 f) Any other recommendations as needed to more effectively utilize institutional long
19 term care facilities in the Commonwealth.

20 SECTION 2. The Commission shall consist of 15 members, 1 of whom shall be the
21 secretary of health and human services or a designee, 1 of whom shall be the secretary of elder
22 affairs or a designee, 1 of whom shall be the director of the office of Medicaid or a designee, 1 of
23 whom shall be the Attorney General or a designee, 1 of whom shall be the house chair of the
24 joint committee on elder affairs or a designee, 1 of whom shall be the senate chair of the joint
25 committee on elder affairs or a designee, 1 of whom shall be the house chair of the joint
26 committee on health care financing or a designee, 1 of whom shall be the senate chair of the joint
27 committee on health care financing or a designee, and 7 persons to be appointed by the governor,
28 1 of whom shall be a representative of the Department of Public Health, 1 of whom shall be a
29 representative of 1199SEIU, 1 of whom shall be a representative of the Massachusetts Senior
30 Care Association, 1 of whom shall be a Long-Term Care Ombudsman, 1 of whom shall be a
31 representative of AARP, and 1 of whom shall be a representative of the Massachusetts
32 Alzheimer's Association.

33 SECTION 3. The Commission shall meet within 90 days of passage of this Act, and not
34 less than quarterly thereafter, and shall release final recommendations to the Senate President,
35 the Speaker of the House, the Joint Committee on Elder Affairs and the Health Planning Council
36 no later than one year from passage of this Act.