SENATE DOCKET, NO. 348 FILED ON: 1/13/2009

SENATE . . . . . No. 306

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

SECTION 1. Notwithstanding any general or special laws to the contrary, there shall be a special commission established to examine the Commonwealth's institutional long term care system, which shall recommend a plan to provide a seamless transition to a continuum of long term care services for elders and persons with disabilities that recognizes the central place of consumer choice and consumer control in any long term care setting; evaluate options and prepare policy recommendations regarding potential savings to the commonwealth achieved by reducing the number of MassHealth licensed nursing home beds; develop recommendations as to the criteria to be used to determine which beds are de-licensed, provided that said criteria shall include at a minimum established Quality Indicators and other quality measures, such as staffing levels, turnover rate and training options for direct care staff; and to consider any programmatic or financial incentives to reduce the number of nursing home beds, convert said beds to sub-acute beds or other uses, or otherwise more efficiently use the institutional long term care facilities in the Commonwealth.

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

The commission shall meet within 30 days of passage, and not less than quarterly thereafter, and shall release its first recommendations to the house and senate committees on ways and means no later than December 31, 2009.