

**SENATE . . . . . No. 320**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to Protect the Interests of Consumers in Senior Lifestyle Communities.

*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 the provisions of any other general or special law to the  
2 contrary, there is hereby established a Special Commission on Protection of Consumer Interests  
3 in Continuing Care Resident Communities. The Commission shall make and investigation and  
4 study of the need for legislation, regulatory oversight, or other means to ensure that the financial  
5 interests of consumers who join senior lifestyle communities are protected against fraud and  
6 abuse in marketing of said communities and for protection of the investment or payment for  
7 membership in such communities.

8           As used in this act, a “continuing care resident community (CCRC)” is a community  
9 which offers several levels of assistance, including independent living, assisted living and  
10 nursing home care. It is different from other housing and care facilities for seniors because it  
11 usually provides a written agreement or long-term contract between the resident (frequently  
12 lasting the term of the resident's lifetime) and the community which offers a continuum of  
13 housing, services and health care system, commonly all on one campus or site.

14           The commission shall consist of the secretary of elder affairs, or his designee; the  
15 secretary of housing and economic development, or his designee; the attorney general, or his  
16 designee; the president of Massachusetts Chapter of the American Association of Retired  
17 Persons, or his designee; the president of the Massachusetts Life Care Residents Association, or  
18 his designee; the House and Senate chairs of the joint committee on elder affairs, the House and  
19 Senate chairs of the joint committee on health care financing; a member of the Senate appointed  
20 by the Senate Minority Leader; a member of the House of Representatives appointed by the  
21 House Minority Leader; and four members appointed by the Governor with expertise in senior  
22 lifestyle retirement communities including at least one consumer/resident of such a community.

23           The commission shall submit a final report to the Governor and General Court, together  
24 with any recommendations for legislation by December 31, 2010.