

**SENATE . . . . . No. 543**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Nine**  
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An Act regarding MassHealth applications..

*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. Section 9 of chapter 118e of the general laws, as amended by chapter 211 of  
2 the acts of 2006, is hereby amended by inserting, after the words "long-term care needs of the  
3 individuals," the following:-

4           The division shall provide, without requiring prior authorization, for up to sixty (60)  
5 days of eligibility for MassHealth home and community based services, including personal care  
6 services, for individuals who, upon discharge from an acute hospital, medical center, nursing  
7 facility, or health care facility including rehabilitation facilities and state hospitals, are presumed  
8 to be financially eligible for the MassHealth program and clinically eligible for home and  
9 community based services, as determined by an aging services access point or an independent  
10 living center; provided further the division shall promulgate such standards and regulations as  
11 may be necessary for the administration of said presumptive eligibility program.