

SENATE No. 808

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to nursing facility class..

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. The division of health care finance and policy shall promulgate rules and
2 regulations that create a new nursing facility class to be defined as follows:

3 Class V: Facilities that:

4 are non-profit

5 have 100 or fewer licensed beds

6 were established and licensed in Massachusetts prior to the enactment of the Health
7 Insurance for the Aged Act, Pub. L. 89-97, Title I, 79 Stat. 290, and the Medicaid Act, Pub. 89-
8 97, Title I section 121(a), 79 Stat. 343, on July 30, 1965; and

9 are located in Berkshire County

10 do not participate in the Medicaid program

11 SECTION 2. The class established herein shall not be adopted until the Executive Office
12 of Health and Human Services certifies it has obtained federal approval of any waiver request
13 needed to implement this class.