

HOUSE No. 75**The Commonwealth of Massachusetts**

PRESENTED BY:

Jeffrey Sánchez

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 to clarify the definition of a personal care attendant.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>	<i>1/19/2011</i>
<i>Kevin Aguiar</i>	<i>7th Bristol</i>	<i>2/4/2011</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>	<i>1/25/2011</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/24/2011</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>2/3/2011</i>
<i>Gloria L. Fox</i>	<i>7th Suffolk</i>	<i>2/4/2011</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/4/2011</i>
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>	<i>2/3/2011</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>	<i>2/2/2011</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/3/2011</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/4/2011</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/26/2011</i>
<i>Stephen Stat Smith</i>	<i>28th Middlesex</i>	<i>2/4/2011</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>	<i>2/4/2011</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>	<i>2/4/2011</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>	<i>2/4/2011</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>	<i>2/3/2011</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>	<i>2/3/2011</i>

HOUSE No. 75

By Mr. Sánchez of Boston, a petition (accompanied by bill, House, No. 75) of Jeffrey Sánchez and others relative to personal care services to persons with disabilities or seniors under the MassHealth program. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to clarify the definition of a personal care attendant.

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 28 of Chapter 118G of the Massachusetts General Laws is hereby
2 amended by deleting the existing definition of a Personal Care Attendant (PCA) and by replacing
3 said existing definition with the following new definition:

4 Personal Care Attendant (PCA) – a person, including a personal aide, who has been
5 selected by a consumer or the consumer’s surrogate to provide personal care services to persons
6 with disabilities or seniors under the MassHealth personal care attendant program or any
7 successor program, or under any program operated by an entity under contract in whole or in part
8 with MassHealth, the Executive Office of Health & Human Services and/or the Executive Office
9 of Health & Human Services departments and divisions.

10 SECTION 2. Section 31(b) of Chapter 118G of the Massachusetts General Laws is
11 hereby amended by adding the following phrase at the end of the fifth sentence in that
12 subsection:

13 “or under any program operated by an entity under contract in whole or in part with
14 MassHealth, the Executive Office of Health & Human Services and/or the Executive Office of
15 Health & Human Services departments and divisions.”

16 SECTION 3. MassHealth and/or the Executive Office of Health and Human Services
17 and its departments and divisions, shall promulgate such rules and regulations as are necessary
18 for the implementation and administration of this section.