

**SENATE . . . . . No. 281**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Michael O. Moore***

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*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 relative to pediatric home care services.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Michael O. Moore*

**SENATE . . . . . No. 281**

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By Mr. Moore, a petition (accompanied by bill, Senate, No. 281) of Michael O. Moore for legislation relative to pediatric home care services. [Health Care Financing].

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to pediatric home 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:*

1           SECTION 1. The Division of Health Care Finance & Policy shall amend the formula  
2 used to determine continuous skilled nursing care rates for single and multi-patient home health  
3 service pursuant to chapter 118G of the General Laws by attributing no less than 30 percent of  
4 the rate to the indirect cost component used to determine payment to agencies; and no more than  
5 10 percent of the rate to the indirect cost component used to determine payment to an individual  
6 practitioner.

7           SECTION 2. The Division of Health Care Finance & Policy shall not establish rates to  
8 reimburse for continuous skilled nursing care provided by Licensed Practical Nurses relative to  
9 114.3 CMR 50.04 (2)(2)(b) to three patients or more.

10          SECTION 3. The Division of Health Care Finance & Policy shall authorize overtime  
11 hours for continuous skilled nursing provided through a home care agency where a family, by  
12 written affidavit, confirms an inability to find providers for 25 percent or more of the hours  
13 determined to be medically necessary.