SENATE DOCKET, NO. 1782 FILED ON: 1/21/2011

# SENATE . . . . . No. 283

## The Commonwealth of Massachusetts

PRESENTED BY:

***Richard T. Moore***

*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 protect the interests of consumers in continuing care resident communities.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|---|---|
| *Richard T. Moore* | |

SENATE DOCKET, NO. 1782 FILED ON: 1/21/2011

# SENATE . . . . . No. 283

By Mr. Moore, a petition (accompanied by bill, Senate, No. 283) of Richard T. Moore for legislation to protect the interests of consumers in senior lifestyle communities. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *320* OF 2009-2010.]

## The Commonwealth of Massachusetts

**In the Year Two Thousand Eleven**

An Act to protect the interests of consumers in continuing care resident communities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Notwithstanding the provisions of any other general or special law to the contrary, there is hereby established a Special Commission on Protection of Consumer Interests in Continuing Care Resident Communities. The Commission shall make and investigation and study of the need for legislation, regulatory oversight, or other means to ensure that the financial interests of consumers who join senior lifestyle communities are protected against fraud and abuse in marketing of said communities and for protection of the investment or payment for membership in such communities.

As used in this act, a "continuing care resident community (CCRC)" is a community which offers several levels of assistance, including independent living, assisted living and nursing home care. It is different from other housing and care facilities for seniors because it usually provides a written agreement or long-term contract between the resident

12 (frequently lasting the term of the resident's lifetime) and the community which offers a
13 continuum of 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;
15 the 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,
24 together with any recommendations for legislation by December 31, 2012.