

**SENATE . . . . . No. 2099**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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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 70 of Chapter 118E 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.

9           SECTION 2. Section 73B of Chapter 118E of the Massachusetts General Laws is hereby  
10 amended by adding the following phrase at the end of the fifth sentence in that subsection:

11           “;or under any program operated by an entity under contract in whole or in part with  
12 MassHealth.”

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