

SENATE No. 2235

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Thursday, July 3, 2014

The committee on Health Care Financing, to whom was referred the Senate Bill to standardize the regulation of skilled nursing facilities (Senate, No. 1932), reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2235).

For the committee,
James T. Welch

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An Act to standardize the regulation of skilled nursing facilities.

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

1 The Department of Public Health shall amend its regulations relative to Licensure
2 Procedure and Suitability Requirements for Long-Term Care Facilities in Massachusetts (105
3 CMR153.000) to allow for greater preparation by the Department and greater participation by
4 surrounding communities when the closure of a facility is proposed.

5 The Department, the Center for Health Information and Analysis, The Office of Elder
6 Affairs , the Office of Medicaid and the Office of the Attorney General shall work together with
7 all interested stakeholders to review and develop policy recommendations for improvements in
8 transparency and continuity of the licensing, closing and sale of long term care facilities in the
9 Commonwealth, including, but not limited to, proposing regulatory amendments requiring 90
10 days' notice prior to the closure or sale of a long term care facility, and an opportunity for
11 community interaction prior to the announcement of such closure.

12 Any Amended regulations, pursuant to this section, shall include a requirement that a
13 long term care facility proposing to close shall provide to the Department, with their initial
14 Notice of Intent to Close, evidence of support or non-opposition to the proposed closure from

15 each municipality to which it serves as a health care resource, pursuant to section 16T of chapter
16 6A of the General Laws. If a statement of non-opposition cannot be obtained, the facility shall 16
17 present evidence of having given notice and allowed an opportunity for comment from said
18 municipalities. Any information given without meeting the requirements for this paragraph shall
19 not constitute notice to the Department for the purpose of establishing the earliest date on which
20 the facility may close.