

HOUSE No. 4499

Section 181 contained in the engrossed Bill making appropriations for the fiscal year 2017 (see House, No. 4450), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment R of House, No. 4505). July 11, 2016.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to a feasibility report on the inclusion of spouses as paid caregivers.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for a feasibility report on the inclusion of spouses as paid caregivers, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Not later than December 1, 2016, the office of Medicaid shall submit a
2 feasibility report on the inclusion of a spouse as a family member authorized to serve as a paid
3 caregiver to the clerks of the senate and house of representative, the house and senate chairs of
4 the joint committee on health care financing and the house and senate committees on ways and
5 means. The report shall include, but not be limited to: (i) necessary state plan amendments and
6 waiver applications required to allow spouses to serve as paid caregivers which may include an
7 application for a 1915(k) community first choice state plan option authorized under 42 U.S.C.
8 1396n(k); (ii) anticipated state liabilities and expected federal financial participation, including
9 an accounting of the office’s assumptions and figures used to calculate those liabilities; (iii) best

10 practices and quality assurance measures; (iv) a comparison of other states that allow spouses to
11 serve as paid caregivers; and (v) a proposed implementation schedule.

12 SECTION 2. This act shall take effect as of July 1, 2016.