

SENATE No. 2139

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 providing limited health services for residents of assisted living residences.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>2/16/2016</i>

SENATE No. 2139

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 2139) (subject to Joint Rule 12) of Patricia D. Jehlen and Tackey Chan for legislation to provide limited health services for residents of assisted living residences. Elder Affairs.

The Commonwealth of Massachusetts

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

An Act providing limited health services for residents of assisted living residences.

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 1 of chapter 19D of the general laws, as appearing in the 2014
2 Official Edition, is hereby amended, by inserting after the definition for “elderly housing,” the
3 following new definition:-

4 “Limited Health Services”, intravenous, intramuscular, or subcutaneous injection;
5 application or replacement of dressings when the physician has prescribed irrigation, the
6 application of medication, or sterile dressings of skin disorders, or care of wounds to provide
7 safe and effective services; administration of oxygen on a regular and continuing basis when the
8 resident's medical condition warrants skilled observation (for example, when the resident has
9 chronic obstructive pulmonary disease or pulmonary edema); insertion, sterile irrigation, and
10 replacement of “straight” catheters; or application of ointments or drops.

11 SECTION 2. Section 10 of chapter 19D, is hereby further amended by inserting after
12 subsection (7) (d), the following new subsection:-

13 (e) The sponsor may advertise, market, and otherwise promote or provide or arrange for
14 the provision of limited health services for assisted living residents and shall administer such
15 care and services in accordance with the requirements set forth herein. A sponsor may not
16 provide limited health services without submitting an operating plan to the Executive Office of
17 Elder Affairs for its approval that explains how the Residence’s limited health services will meet
18 the needs of its resident population or individual residents therein, and the staff qualifications
19 and training for providing such services. Said operating plan shall specify whether all, or certain,
20 of the enumerated health service will be offered.

21 SECTION 3. Section 11 of chapter 19D, is hereby amended by inserting after the first
22 sentence the following:-

23 “Except as permitted for residences which opt to provide Limited Health Services,”.