

**SENATE . . . . . No. 351**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Harriette L. Chandler***

*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 resolve:

Resolve creating a special commission on institutional long term care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Harriette L. Chandler</i>	<i>First Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

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By Ms. Chandler, a petition (accompanied by resolve, Senate, No. 351) of Harriette L. Chandler, Barbara L'Italien, Michael O. Moore, Angelo J. Puppolo, Jr. and other members of the General Court for legislation to create a special commission on institutional long term care. Elder Affairs.

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**The Commonwealth of Massachusetts**

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

Resolve creating a special commission on institutional long term care.

1           **Resolved**, SECTION 1. Notwithstanding any general or special laws to the contrary,  
2 there shall be established a Special Commission on Institutional Long Term Care. This  
3 Commission shall evaluate options and prepare policy recommendations necessary to address  
4 excess skilled nursing home bed inventory, to reform the skilled nursing home licensing and de-  
5 licensing processes, and to establish more rational processes for the closure of skilled nursing  
6 homes. Such recommendations shall include policy options concerning the following:

7           a) Potential savings to the Commonwealth and improvements to care delivery that could  
8 be realized by reducing the number of skilled nursing facility beds;

9           b) Criteria to be used to determine which beds should be de-licensed, including but not  
10 limited to quality care standards and measures of regional geographic need;

11 c) Potential incentives for skilled nursing home operators that would help to reduce the  
12 number of skilled nursing facility beds and/or would facilitate conversion of under-utilized beds  
13 to other uses;

14 d) Improvements to the MassHealth reimbursement system for skilled nursing facilities;

15 e) Additional reforms to strengthen the public hearing process for nursing home closures  
16 and sales; and

17 e) Any other recommendations as needed to more effectively utilize institutional long  
18 term care facilities in the Commonwealth.

19 SECTION 2. The Commission shall consist of 15 members, 1 of whom shall be the  
20 secretary of health and human services or a designee, 1 of whom shall be the secretary of elder  
21 affairs or a designee, 1 of whom shall be the director of the office of Medicaid or a designee, 1 of  
22 whom shall be the Attorney General or a designee, 1 of whom shall be the house chair of the  
23 joint committee on elder affairs or a designee, 1 of whom shall be the senate chair of the joint  
24 committee on elder affairs or a designee, 1 of whom shall be the senate chair of the joint  
25 committee on health care financing or a designee, 1 of whom shall be the house chair of the joint  
26 committee on health care financing or a designee, and 7 persons to be appointed by the  
27 governor, 1 of whom shall be a representative of the Department of Public Health, 1 of whom  
28 shall be a representative of 1199SEIU, 1 of whom shall be a representative of the Massachusetts  
29 Senior Care Association, 1 of whom shall be a Long-Term Care Ombudsman, 1 of whom shall  
30 be a representative of AARP, and 1 of whom shall be a representative of the Massachusetts  
31 Alzheimer's Association.

32           SECTION 3. The Commission shall meet within 90 days of passage of this Act, and not  
33 less than quarterly thereafter, and shall release final recommendations to the Senate President,  
34 the Speaker of the House, the Joint Committee on Elder Affairs and the Health Planning Council  
35 no later than one year from passage of this Act.