

HOUSE No. 175

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

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 relative to parents acting as personal care attendants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No. 175

By Mr. Velis of Westfield, a petition (accompanied by bill, House, No. 175) of John C. Velis and others relative to parents acting as personal care attendants. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to parents acting as personal care attendants.

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 text of Section 70 of Chapter 118E as appearing in the 2016 Official Edition is
2 hereby deleted and replaced with the following new text:

3 Section 70. As used in sections 70 to 75 inclusive, the following words shall, unless the
4 context requires otherwise, have the following meanings:

5 "Consumer," a person to whom a personal care attendant provides personal care services.

6 "PCA quality home care workforce council", "workforce council" or "the council", the
7 Personal Care Attendant quality home care workforce council established in section 71.

8 "Personal care attendant", a person, including a personal aide, who has been selected by a
9 consumer or the consumer's surrogate to provide personal care services to persons with
10 disabilities or seniors under the MassHealth personal care attendant program or any successor
11 program or under any program operated by an entity under contract in whole or in part with

12 MassHealth.; provided further that a parent or legal guardian of an adult person with disabilities
13 shall be considered eligible to provide personal care services.

14 "Surrogate", a consumer's legal guardian or person identified in a written agreement with
15 the consumer as responsible for hiring, directing and firing on behalf of the consumer.