

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Stephan Hay

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 requiring COVID-19 or infectious disease recovery center notice to nursing facility residents.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>5/27/2020</i>

HOUSE No.

By Mr. Hay of Fitchburg, a petition (subject to Joint Rule 12) of Stephan Hay relative to notification to residents of nursing facilities whenever their facilities will be used as a COVID-19 or infectious disease recovery or holding center. Elder Affairs.

The Commonwealth of Massachusetts

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

An Act requiring COVID-19 or infectious disease recovery center notice to nursing facility residents.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for notification to residents of nursing facilities whenever their facilities will be used as a COVID-19 or infectious disease recovery or holding center, 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 Chapter 111 of the General Laws is hereby amended by inserting after section 72BB, as
2 appearing in the 2018 Official Edition, the following section:-

3 Section 72CC. (a) For the purposes of this section, the term “nursing facility” shall mean
4 a nursing facility as defined in 42 U.S.C. §1396r or any other facility licensed by the department
5 pursuant to section 71.

6 A nursing facility shall provide each resident and each resident’s designated family
7 contact or health care proxy with notice at least 7 days prior to utilizing any part of the nursing

8 facility as a holding or recovery center for patients that have tested positive for an infectious
9 disease, including but not limited to the 2019 novel coronavirus, also known as COVID-19.

10 (b) A nursing facility that violates this section shall be punished by a fine of \$1000 for
11 each offense; provided, that the failure to notify an individual resident shall constitute an
12 individual offense.