

**SENATE . . . . . No. 358**

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 relative to home care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/29/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/29/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/30/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/30/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>1/30/2019</i>
<i>Bradford Hill</i>	<i>4th Essex</i>	<i>1/30/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/30/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/31/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/31/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/31/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/1/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/1/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>2/1/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/1/2019</i>

<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2019</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2019</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>2/1/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/1/2019</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>2/1/2019</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/1/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/4/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/4/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/4/2019</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>2/6/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/7/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/13/2019</i>
<i>David Biele</i>	<i>4th Suffolk</i>	<i>3/7/2019</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/26/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>4/2/2019</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>9/26/2019</i>

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By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 358) of Patricia D. Jehlen, Jason M. Lewis, Mathew J. Muratore, James B. Eldridge and other members of the General Court for legislation relative to home care. Elder Affairs.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2558 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act relative to home care.

*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 13D of chapter 118E is hereby amended in the second paragraph by  
2 adding after the words “as defined under section 71 of chapter 111” the following: and home  
3 health agencies pursuant to Title XVIII, Section 1891 of the Social Security Act.

4 SECTION 2. Section 13D of Chapter 118E is further amended by adding, after the third  
5 paragraph thereof, the following new paragraph:-

6 Rates for the home care program, as defined under sections 4 and 4B, of chapter 19A,  
7 shall be adjusted on a biennial prospective basis by October 1st. The executive office shall  
8 establish, in consultation with the executive office of elder affairs, a base purchase of service and  
9 a base personnel and operations per client per month capitation for the home care and enhanced

10 community options programs, or successor programs, to be used in establishing biennial  
11 capitations pursuant to the provisions of this section and section 13C. Said capitations shall be  
12 based on operating costs for aging services access points. In calculating operating costs, the  
13 executive office shall consider costs associated with providing similar services in both the public  
14 and private settings including but not limited to health insurance, employment benefits and wage  
15 rates as required by law; provided further that compensation earned by homemakers and personal  
16 care homemakers shall be no less than \$15 per hour by July 1, 2020 and shall increase by \$.75 an  
17 hour commensurate to the increase in the state minimum wage, to \$15.75 on July 1, 2021, to  
18 \$16.50 per hour July 1, 2022 and to \$17.25 per hour on July 1, 2023 and provided further that  
19 said compensation shall be no less than 15 percent higher than the state minimum wage  
20 thereafter.