

SENATE No. 376

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 the Nursing Home Quality Jobs Initiative.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>David Biele</i>	<i>4th Suffolk</i>	<i>3/13/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>4/24/2019</i>

SENATE No. 376

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 376) of Marc R. Pacheco for legislation relative to the Nursing Home Quality Jobs Initiative. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 358 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act relative to the Nursing Home Quality Jobs Initiative.

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. Chapter 118E of the General Laws, as appearing in the 2016 official edition
2 is hereby amended by inserting at the end thereof the following new section: -

3 Section 78. MassHealth shall provide not less than \$90 million annually to fund a rate
4 add-on for wages, benefits and related employee costs of direct care staff of licensed nursing
5 homes, including certified nurse aides, housekeeping, laundry and dietary staff. MassHealth
6 shall, subject to appropriation, adjust the annual direct care labor add-on with an inflation
7 adjustment consistent with the annual Massachusetts Consumer Price Index as determined by the
8 federal Bureau of Statistics for the purpose of funding an increase in wages for nursing home
9 direct care staff including certified nurse aides, housekeeping, laundry and dietary. MassHealth
10 shall adopt all additional regulations and procedures necessary to carry out this section, including

11 audits, and shall report to the house and senate committees on ways and means an analysis of
12 funds expended under the direct care add on program.

13 SECTION 2. Chapter 111 of the General Laws, as appearing in the 2016 official edition,
14 is hereby amended by inserting after section 4O the following new section:-

15 Section 4P. The Department shall, subject to appropriation, establish a scholarship
16 program for certified nurses' aide and direct care worker training. The department shall establish
17 appropriate guidelines and application criteria for the administration of the program. The
18 scholarships shall cover the full cost of tuition to an approved certified nurses' aide or long-term
19 care direct worker training program, including approved programs providing for cross-training.
20 Funds may also be available to provide adult basic education and English as a second language
21 training for applicants otherwise meeting criteria for the scholarships, as well as pilot training
22 programs using enhanced curricula designed to support increased retention. The department
23 shall, in consultation with the nursing home industry, consumer groups, the department of labor
24 and workforce development, the Commonwealth Corporation, training providers and other
25 appropriate state and local agencies, conduct outreach regarding the availability of such
26 scholarships. The department shall consult with the scholarship program advisory council to
27 review and recommend new training requirements for certified nurses' aides, home health aides
28 and home care workers to improve the quality of the direct care workforce and the quality of care
29 provided in all long-term care settings by developing skill standards, supporting the transition
30 from training to work, improving retention, promoting portability, recognizing career
31 advancement curricula and addressing language and education barriers. The costs for outreach
32 activities shall not exceed 3 per cent of the amount of the program and administrative costs of the
33 program shall not exceed 3 per cent of the amount of the program.

34 SECTION 3. Chapter 23 of the General Laws, as appearing in the 2016 official edition is
35 hereby amended by inserting after section 9U the following new section:

36 Section 9V. The Executive Office of Labor and Workforce Development through the
37 Commonwealth Corporation shall, subject to appropriation, establish a \$2.5 million annual grant
38 program for nursing facility supervisory and leadership training. The program shall, but not be
39 limited to, covering the cost of nursing facility worker participation in evidence-based
40 supervisory training for the express purpose of retaining staff and reducing turnover.