

# SENATE . . . . . No. 28

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Joanne M. Comerford*

*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 allowing spouses to serve as caregivers.

PETITION OF:

| NAME:                      | DISTRICT/ADDRESS:                        |                  |
|----------------------------|------------------------------------------|------------------|
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> |                  |
| <i>Rebecca L. Rausch</i>   | <i>Norfolk, Bristol and Middlesex</i>    | <i>1/30/2019</i> |
| <i>Mindy Domb</i>          | <i>3rd Hampshire</i>                     | <i>1/31/2019</i> |
| <i>Patricia D. Jehlen</i>  | <i>Second Middlesex</i>                  | <i>6/24/2019</i> |

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By Ms. Comerford, a petition (accompanied by bill, Senate, No. 28) of Joanne M. Comerford, Rebecca L. Rausch and Mindy Domb for legislation relative to spouses as caregivers. Children, Families and Persons with Disabilities.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 55 OF 2017-2018.]

## The Commonwealth of Massachusetts

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

An Act allowing spouses to serve as caregivers.

*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. The second paragraph of section 9 of chapter 118E of the General Laws, as  
2   appearing in the 2016 Official Edition, is hereby amended by inserting in the second sentence,  
3   after the words “requirements for Title XIX”, the following words:--

4           ; provided, that any program of home and community based services funded pursuant to  
5   the provisions of this chapter or chapter 118G, in which family members are permitted to serve  
6   as paid caregivers, shall include spouses within the definition of family member; provided  
7   further, the executive office of health and human services shall file a state plan amendment or  
8   waiver application, as may be required, to allow spouses to serve as paid caregivers;