

**SENATE . . . . . No. 429**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bruce E. Tarr***

*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 nursing facility workforce.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>3/5/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/9/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>3/9/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/9/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/12/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/30/2021</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>10/29/2021</i>

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. 429) of Bruce E. Tarr, Mathew J. Muratore, Angelo J. Puppolo, Jr., Michael J. Soter and other members of the General Court for legislation relative to nursing facility workforce. Elder Affairs.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act relative to nursing facility workforce.

*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 118E of the General Laws, as appearing in the 2018 official edition

2 is hereby amended by inserting at the end thereof the following new section: -

3 Section 79. Nursing facilities licensed pursuant to section seventy-one of chapter 111 of  
4 the general laws must have sufficient nursing staff with the appropriate competencies and skills  
5 sets to provide nursing and related services to assure resident safety and attain or maintain the  
6 highest practicable physical, mental, and psychosocial well-being of each resident, as determined  
7 by resident assessments and individual plans of care and considering the number, acuity and  
8 diagnoses of the facility's resident population in accordance with the facility assessment required  
9 at 42 CFR 483.70(e). For the purpose of setting MassHealth nursing facility rates, the executive  
10 office of health and human services shall recognize its full share of the actual nursing costs of  
11 meeting this requirement. In recognizing its full share of the actual nursing costs for Medicaid

- 12 nursing facility residents, the executive office of health and human services shall not apply any
- 13 so called efficiency standard for the purpose of reducing workforce funding.