

HOUSE No. 1216

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr.

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: | DATE ADDED: |
|------------------------------------|-----------------------|------------------|
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>1/18/2023</i> |
| <i>Smitty Pignatelli</i> | <i>3rd Berkshire</i> | <i>1/31/2023</i> |
| <i>Christopher Hendricks</i> | <i>11th Bristol</i> | <i>1/31/2023</i> |
| <i>Brian W. Murray</i> | <i>10th Worcester</i> | <i>1/31/2023</i> |
| <i>Carol A. Doherty</i> | <i>3rd Bristol</i> | <i>1/31/2023</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>2/2/2023</i> |
| <i>Vanna Howard</i> | <i>17th Middlesex</i> | <i>2/2/2023</i> |
| <i>Mathew J. Muratore</i> | <i>1st Plymouth</i> | <i>2/23/2023</i> |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i> | <i>2/23/2023</i> |
| <i>Paul McMurtry</i> | <i>11th Norfolk</i> | <i>3/1/2023</i> |
| <i>Rodney M. Elliott</i> | <i>16th Middlesex</i> | <i>3/1/2023</i> |
| <i>Natalie M. Higgins</i> | <i>4th Worcester</i> | <i>3/1/2023</i> |
| <i>David Paul Linsky</i> | <i>5th Middlesex</i> | <i>3/1/2023</i> |
| <i>Russell E. Holmes</i> | <i>6th Suffolk</i> | <i>3/2/2023</i> |
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>3/2/2023</i> |
| <i>Edward R. Philips</i> | <i>8th Norfolk</i> | <i>3/6/2023</i> |
| <i>William J. Driscoll, Jr.</i> | <i>7th Norfolk</i> | <i>3/8/2023</i> |
| <i>Alice Hanlon Peisch</i> | <i>14th Norfolk</i> | <i>3/22/2023</i> |

HOUSE No. 1216

By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 1216) of John J. Lawn, Jr., and others relative to wages, benefits and related employee costs of direct care staff of licensed nursing homes. Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1287 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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 2018 official edition
2 is hereby amended by inserting at the end thereof the following new section: -

3 Section 78. For the purpose of ensuring a living wage for nursing facility direct care
4 staff, MassHealth shall annually fund a living wage rate add-on for direct care staff of licensed
5 nursing homes, including, but not limited to, certified nurse aides, housekeeping, laundry,
6 dietary, plant operations, and clerical staff. Funds shall cover a living wage, and associated
7 payroll benefits and related employee costs. MassHealth shall, subject to appropriation, adjust
8 the annual living wage add-on with an inflation adjustment consistent with the annual unadjusted
9 Skilled Nursing Facility Market Basket Update as established by the Centers for Medicare &
10 Medicaid in the Medicare Skilled Nursing Facility prospective payment system rule. MassHealth

11 shall adopt all additional regulations and procedures necessary to carry out this section, including
12 audits, and shall report to the house and senate committees on ways and means an analysis of
13 funds expended under the living wage rate add on program.

14 SECTION 2. Chapter 23 of the General Laws, as appearing in the 2018 official edition is
15 hereby amended by inserting after section 9U the following new sections:

16 Section 9V. The Executive Office of Labor and Workforce Development through the
17 Commonwealth Corporation shall, subject to appropriation, establish a grant program for nursing
18 facility supervisory and leadership training. The program shall, but not be limited to, covering
19 the cost of nursing facility worker participation in evidence-based supervisory training for the
20 express purpose of improving staff satisfaction, retaining staff and reducing turnover.

21

22 Section 9W. The Commonwealth Corporation shall, subject to appropriation, establish an
23 extended care career ladder grant program, consistent with section 410 of chapter 159 of the Acts
24 of 2000. Grants shall be available for certified nurses' aides, home health aides, homemakers and
25 other entry level workers in long-term care. The grants may include training for English for
26 speakers of other languages and other language and adult basic education programs to improve
27 quality of care and improve direct care worker access to and participation in career ladder
28 training. The length of such grants shall not exceed a period of 3 years. The Commonwealth
29 Corporation shall submit quarterly reports to the house and senate committees on ways and
30 means on said grant program including, but not limited to, the number of grants awarded, the
31 amount of each grant, a description of the career ladder programs, changes in care-giving and
32 workplace practices that have occurred and their impact on quality of care and worker retention

33 and the certificates, degrees or professional status attained by each participating employee. The
34 administrative and program management costs for the implementation of said grant program
35 shall not exceed 4 per cent of the amount of the grant program. Each grant may include funding
36 for technical assistance and evaluation.

37 SECTION 3. Chapter 111 of the General Laws, as appearing in the 2018 official edition,
38 is hereby amended by inserting after section 4O the following new section:-

39 Section 4P. The Department shall, subject to appropriation, establish a tuition
40 reimbursement program for certified nursing assistant training. The department shall reimburse
41 for the costs of certified nursing assistant training or competency testing subject to the following
42 requirements, conditions and limitations: (a) costs shall have been incurred for an approved
43 certified nursing assistant training program; (b) costs shall have been actually paid by the
44 certified nursing assistant from his or her own personal funds; and (c) Individuals shall have
45 begun employment as a certified nursing assistant in a licensed nursing facility within 12 months
46 of completing the training program, including passing the competency testing.