HOUSE DOCKET, NO. 1114 FILED ON: 1/18/2023

HOUSE . . . . . No. 623

The Commonwealth of Massachusetts

PRESENTED BY:

Carol A. Doherty

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 to improve quality and safety in nursing homes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Carol A. Doherty	*3rd Bristol*	*1/18/2023*
Ruth B. Balser	*12th Middlesex*	*2/6/2023*
Christopher Hendricks	*11th Bristol*	*2/9/2023*
Rodney M. Elliott	*16th Middlesex*	*2/9/2023*
James K. Hawkins	*2nd Bristol*	*2/9/2023*
James B. Eldridge	*Middlesex and Worcester*	*3/7/2023*

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HOUSE . . . . . No. 623

By Representative Doherty of Taunton, a petition (accompanied by bill, House, No. 623) of Carol A. Doherty and others for legislation to improve quality and safety in nursing homes. Elder Affairs.

The Commonwealth of Massachusetts

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

An Act to improve quality and safety in nursing homes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Safe Staffing Ratios for Direct Care Staff

SECTION 1 Notwithstanding any other general or special law to the contrary, the department shall ensure that its regulations governing staffing ratios for direct care staff who are certified nurse assistants, licensed practical nurses, or registered nurses meet the level recommended by current research. The department shall promulgate nursing home staffing ratios to be not less than a minimum of 0.75 RN hours per resident day (hprd), 0.55 LVN/LPN hprd, and 2.8 (to 3.0) CNA hprd, for a total of 4.1 nursing hprd to meet the federal quality standards.

Priority on Community Placement

SECTION 2. a reasonable effort shall be made to place the resident in a community setting with home and community-based supports and services.”

Limitations on Number of Residents per Room

SECTION 3. Section 4A, Section 7 of Chapter 111 of the General Laws as appearing in the 2020 Official Edition, is hereby amended by inserting the following:

Notwithstanding any other general or special law to the contrary, no new nursing home and no renovation exceeding 25% of the value of the facility shall be constructed with resident rooms that accommodate more than two residents and a reasonable effort shall be made to construct single rooms for residents."

When ownership is transferred from a current owner to a future owner, the new owner shall commit in writing to the department to provide rooms all for not more than two residents.

Nursing Home Resident Rights

SECTION 4. Section 5A. Notwithstanding the provisions of any general or special law to the contrary, every nursing home shall establish a Human Rights Committee which shall have the authority to receive and investigate, or investigate on its own motion, any complaints affecting the rights of residents. The department shall promulgate regulations regarding the composition, terms, and duties of said committee, and shall provide annual training for human rights committee members in its six regions.

The Commissioner shall designate not less than two employees per region who shall be trained in enforcement and resolution of violations of the human rights of nursing home residents and staff. Said Human Rights Officers shall work with nursing home human rights committees to provide assistance and support in processing resident complaints.

SECTION5, “Rights of Residents,” The enumerated rights of nursing home residents guaranteed to residents receiving Medicare or Medicaid, and which shall apply for all residents whether or not the resident receives Medicare or MassHealth benefits