

SENATE No. 378

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia D. Jehlen

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 small house nursing homes.

PETITION OF:

NAME:

Patricia D. Jehlen

DISTRICT/ADDRESS:

Second Middlesex

SENATE No. 378

By Ms. Jehlen, a petition (accompanied by bill, Senate, No. 378) of Patricia D. Jehlen for legislation relative to regulations for small house nursing homes. Elder Affairs.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 406 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act relative to small house 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:

1 SECTION 1. Notwithstanding any general or special law to the contrary, the Department
2 of Public Health shall amend 105 CMR 150.000: Standards for Long Term Care Facilities,
3 establishing regulations for the operation of small house nursing homes. The amendments shall
4 include a definition of small house nursing homes as 1 or more units of a nursing home designed
5 and modeled as a private home including residential kitchen and living area. Small house nursing
6 homes shall house no more than 14 individuals per unit, in resident rooms that accommodate not
7 more than 2 residents per room, which are shared only at the request of a resident to
8 accommodate a spouse, partner, family member or friend. All resident rooms shall contain a full
9 private and accessible bathroom.

10 Regulations for small house nursing homes shall, to the extent practicable, prohibit the
11 use of institutional features, including but not limited to nursing stations, medication carts, room
12 numbers and wall-mounted licenses or certificates that could appropriately be accessed through
13 other means.

14 Regulations for construction and physical plant standards should be based on the smaller
15 size and limited number of residents served in small house nursing homes in comparison with
16 traditional nursing facility units. In addition to development of construction and physical plant
17 standards that support small house nursing homes, regulations shall support a staffing model in
18 small house nursing homes that allow for a universal worker approach to resident care that is
19 organized to support and empower all staff to respond to the needs and desires of residents
20 including cooking and meal preparation, and provides for consistent staff in each small house.

21 SECTION 2. The Department of Public Health is hereby directed to accept applications
22 for new long-term care beds that will be operated under a small house model of care as defined
23 in section 1 above.

24 SECTION 3. The executive office of health and human services is hereby directed to
25 establish standard rates of payment for nursing facilities that fully reimburse for capital costs of
26 small house nursing homes.