

HOUSE No. 759

The Commonwealth of Massachusetts

PRESENTED BY:

Rob Consalvo

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 improving oversight in long-term care facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Rob Consalvo</i>	<i>14th Suffolk</i>	<i>1/15/2025</i>

HOUSE No. 759

By Representative Consalvo of Boston, a petition (accompanied by bill, House, No. 759) of Rob Consalvo relative to monitoring devices in resident rooms at certain long-term care facilities. Elder Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act improving oversight in long-term care facilities.

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 111 of the General Laws is hereby amended by inserting after section 72GG the
2 following section:-

3 Section 72HH. (a) Notwithstanding section 99 of chapter 272 or any other general or
4 special law to the contrary, a nursing home, rest home or other long-term care facility shall
5 permit a resident or, with the resident’s consent, a resident’s family member or health care proxy
6 to place a monitoring device, including a two-way camera, in the resident’s room to monitor the
7 resident’s care and living arrangements; provided, that the resident resides in a private, single-
8 occupancy room and the device does not monitor any other resident’s private residential space or
9 any communal space. If the resident has not affirmatively objected to the monitoring device and
10 the resident's physician determines that the resident lacks the ability to understand and appreciate
11 the nature and consequences of remote monitoring, the resident’s health care proxy may consent
12 on their behalf.

13 (b) A person placing a monitoring device in a resident's room pursuant to subsection (a)
14 shall notify the facility prior to placing the monitoring device and post conspicuous signage to
15 notify any person entering the room that the room is being remotely monitored.

16 (c) The facility shall inform its employees and contractors of any monitoring device in
17 use pursuant to subsection (a).

18 (d) All costs related to the installation and maintenance of the monitoring device shall be
19 borne by the person who installed the device.

20 (e) A recording produced from the monitoring device shall not be disseminated except for
21 the purposes of making a complaint to the facility or a regulatory authority, for admission into
22 evidence in a civil, criminal or administrative proceeding, or as otherwise required by law.

23 (f) The department shall promulgate regulations, pursuant to chapter 30A, which shall
24 include minimum privacy and notification standards. The department shall develop a form for
25 notification to the facility.