

SENATE No. 492

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 protecting the rights of older adults and people with disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Peter J. Durant</i>	<i>Worcester and Hampshire</i>	<i>3/17/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/12/2025</i>

SENATE No. 492

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 492) of Bruce E. Tarr for legislation to protect the rights of older adults and people with disabilities in nursing homes. Elder Affairs.

The Commonwealth of Massachusetts

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

An Act protecting the rights of older adults and people with disabilities.

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. Section 72 of chapter 111 of the General Laws, as appearing in the 2022
2 Official Edition is hereby amended by inserting, at the end thereof, the following:-

3 Notwithstanding any other general or special law, the department shall promulgate
4 regulations to promote the dignity of residents, both permanent and temporary, of nursing homes
5 licensed by said department that are equivalent to the protection of rights of residents of facilities
6 licensed by the department of mental health and the department of developmental disabilities that
7 shall be effective not later than July 1, 2027.

8 SECTION 2. Chapter 70E of chapter 111 of the general laws, as appearing in the 2022
9 Official Edition, is hereby amended by inserting after the sentence which reads: “Any person
10 whose rights under this section are violated may bring, in addition to any other action allowed by
11 law or regulation, a civil action under sections sixty B to sixty E, inclusive, of chapter two
12 hundred and thirty-one,” the following additional paragraphs:-

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.

SECTION 3. Chapter 70E of chapter 111 of the general laws, as appearing in the 2022 Official Edition, is hereby amended by inserting at the end thereof, "Rights of Residents shall include the enumerated rights of nursing home residents, as appearing in the Omnibus Budget Reform Act of 1987, guaranteed to residents receiving Medicare or Medicaid, and which shall apply for all residents whether the resident receives Medicare or MassHealth benefits."