SENATE DOCKET, NO. 946 FILED ON: 1/20/2011

SENATE . . . . . No. 292

The Commonwealth of Massachusetts

PRESENTED BY:

James T. Welch

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 passage of the accompanying:

An Act to clarify the definition of a personal care attendant..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James T. Welch	*[District]*
Sal N. DiDomenico	*Middlesex, Suffolk, and Essex*
John F. Keenan	*[District]*
Katherine M. Clark	*Middlesex and Essex*

SENATE DOCKET, NO. 946 FILED ON: 1/20/2011

SENATE . . . . . No. 292

By Mr. Welch, a petition (accompanied by bill, Senate, No. 292) of James T.Welch, Sal N. DiDomenico, John F. Keenan and Katherine M. Clark for legislation to clarify the definition of personal care attendant. [Children, Familes and Persons with Disabilities].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to clarify the definition of a personal care attendant..

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

SECTION 1. Section 28 of Chapter 118G of the Massachusetts General Laws, as appearing in the 2008 Official Edition, is hereby amended by deleting the existing definition of a Personal Care Attendant (PCA) and by replacing said existing definition with the following new definition: Personal Care Attendant (PCA) – a person, including a personal aide, who has been selected by a consumer or the consumer's surrogate to provide personal care services to persons with disabilities or seniors under the MassHealth personal care attendant program or any successor program, or under any program operated by an entity under contract in whole or in part with MassHealth, the Executive Office of Health & Human Services and/or the Executive Office of Health & Human Services departments and divisions.

SECTION 2. Section 31(b) of Chapter 118G of the Massachusetts General Laws is hereby amended by adding the following phrase at the end of the fifth sentence in that subsection:

",or under any program operated by an entity under contract in whole or in part with MassHealth, the Executive Office of Health & Human Services and/or the Executive Office of Health & Human Services departments and divisions."

SECTION 3. MassHealth and/or the Executive Office of Health and Human Services and its departments and divisions, shall promulgate such rules and regulations as are necessary for the implementation and administration of this section.