

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JULY 25, 2024

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JOURNAL OF THE SENATE

Thursday, July 25, 2024.

Met at six minutes past eleven o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the following guests were introduced:

The Chair (Mr. Brownsberger) handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced, in the rear of the Chamber, John McGahan of South Boston. Mr. McGahan was being recognized on his retirement as President and CEO of the Gavin Foundation and for his incredible dedication, passion, commitment and leadership in shaping the organization into what it is today. Under his guidance, the Gavin Foundation significantly grew its programs and made a lasting impact on the recovery community throughout Massachusetts. The Senate congratulated him on his retirement, he signed the guestbook and withdrew from the Chamber.

John McGahan.

The Chair (Mr. Brownsberger) handed the gavel to Mr. O'Connor for the purpose of an introduction. Mr. O'Connor then introduced, in the rear of the Chamber, the Marshfield High School girls cross country team. The team was recognized for winning the 2021 MIAA Division 1 All-State Championship Title, the team's first title win in the history of their program. The Rams were also recognized for their hard work and dedication and for winning three major titles in one season. The team was led by Assistant Coach Stephanie Spencer. The Senate applauded their accomplishments and they withdrew from the Chamber.

Marshfield High School girls cross country team.

The Chair (Mr. Brownsberger) handed the gavel to Mr. Cyr for the purpose of an introduction. Mr. Cyr then introduced, in the rear of the Chamber, the Nantucket Whalers boys lacrosse team. The team was recognized for winning the 2024 MIAA Division 4 State Championship Title and for their hard work and dedication throughout the season. The Senate applauded their accomplishments and they withdrew from the Chamber.

Nantucket Whalers boys lacrosse team.

The Chair (Ms. Creem) handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced, in the rear of the Chamber, members of the National Association of Commissions for Women. The commission was recognized for assisting and supporting commissions for women to ensure that they thrive in today's challenging environment and were visiting Boston to attend their 54th annual leadership and training conference. Among the group was: President of NACW and chair of MCSW Mary-dith Tuitt, along with members from Massachusetts, Vermont, Maine, Pennsylvania, Maryland, California, Hawaii Oklahoma Wisconsin, Florida, Minnesota and more. The Senate welcomed them with applause and they withdrew from the Chamber.

National Association of Commissions for Women.

The Chair (Ms. Creem) handed the gavel to Messrs. Keenan and O'Connor for the purpose of an introduction. Mr. Keenan then introduced, in the rear of the Chamber, Officer

Officer William Cushing.

William Cushing. Officer Cushing was recognized in honor of his retirement from the Braintree Police Department. On June 4, 2021, K9 Officer Cushing and his fellow officers were ambushed by an armed suspect and, as a result, suffered multiple gunshot wounds and lost his canine partner, Kitt, of 11 years. Officer Cushing was visiting the State House in recognition of the signing of special legislation allowing him to retire with full benefits. He was accompanied by Police Chief Tim Cohoon, Acting Fire Chief Frederick Viola, Mayor Erin Joyce and Representative Mark Cusak of Braintree. The Senate applauded his heroic efforts, wished him well on his retirement and he withdrew from the Chamber.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the Essex County Women in Transition inspection on June 25, 2024 (received July 24, 2024),-- **was placed on file.**

DPH,-- plan of correction. SD3353

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4907) of Colleen M. Garry and Edward J. Kennedy (by vote of the town) that the town of Tyngsborough be authorized to grant up to three additional licenses for the sale of all alcoholic beverages to be drunk on the premises of a restaurant in said town;

Tyngsborough,-- liquor license.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4908) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Warwick be authorized to continue the employment of David A. Shoemaker as police chief of said town notwithstanding the maximum age requirement;

Warwick,-- police chief David Shoemaker.

To the committee on Public Service.

A Bill authorizing an extended term of agreement between the town of Foxborough and the town of Sharon for municipal sewer service (House, No. 4754,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Foxborough/Sharon,-- sewer services.

Report of a Committee.

By Mr. Oliveira, for the committee on Municipalities and Regional Government, on petition, a Bill amending chapter 133 of the acts of 2022 (Senate, No. 2854);

Hanson,-- conservation restriction.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and ordered to a third reading.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Directing the City of Boston Police Department to waive the maximum age requirement for police officers for Paul O'Brien (House, No. 4592);

Second reading bills.

Authorizing the town of Palmer to grant additional licenses for the sale of all alcoholic beverages (House, No. 4688); and

Amending the charter of the city of Gardner (House, No. 4868);

Were severally read a second time and ordered to a third reading.

The House Bill to improve quality and oversight of long-term care (House, No. 4193),--

Long-term care,-- improve.

was read a second time; and there being no objection, pending further consideration the matter was temporarily set aside.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Terence P. O’Coin.

Moment of silence.

PAPER FROM THE HOUSE.

The Senate Bill relative to pharmaceutical access, costs and transparency (Senate, No. 2520),-- came from the House passed to be engrossed, in concurrence, *with an amendment* striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4910; and by striking out the title and inserting in place thereof the following title: “An Act promoting access and affordability of prescription drugs.”

Pharmaceutical access.

On motion of Mr. Cyr the Senate NON-concurred in the House amendments and asked for a committee of conference on the disagreeing votes of the two branches; and Senators Friedman, Cronin and Tarr were appointed to the committee on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill to improve quality and oversight of long-term care (House, No. 4193),-- was further considered, the main question being on ordering the bill to a third reading.

Long-term care,-- improve.

After remarks, pending the question on adoption of the amendments previously recommended by the committee on Senate Ways and Means striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2889, and by striking out the title and inserting in place thereof the following title “An Act relative to long-term care and assisted living” and pending the main question on ordering the bill to a third reading, Ms. Comerford, Messrs. Keenan and Mark, Ms. Rausch and Messrs. Collins, Barrett, Eldridge, Moore, Lewis, Payano, Oliveira and Brady moved that the proposed new text be amended by adding the following sections:-

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“SECTION 17A. Section 31 of chapter 118E of the General Laws, is hereby amended by inserting after subsection (b) the following subsection:-

(b¹/₂) This subsection shall apply to estates of individuals dying on or after August 1, 2024. There shall be no adjustments or recovery of medical assistance correctly paid except for recovery from the estate of an individual who was:

(i) regardless of age, a resident in a nursing facility or other medical institution within the meaning of 42 U.S.C. 1396p(a)(1)(B)(i) when the individual received such assistance; provided, however, that recovery of such assistance shall be limited to assistance provided on or after March 22, 1991; or

(ii) 55 years of age or older when the individual received such assistance, where such assistance was for services provided on or after October 1, 1993, but only for medical assistance consisting of nursing facility services, home and community-based services and related hospital and prescription drug services for which estate recovery is mandated by 42 U.S.C. 1396p(b)(1)(B)(i) or other federal law.

Any recovery may be made only after the death of the surviving spouse, if any, and only at a time when the individual has no surviving child under the age of 21 years or who is an individual who is blind or an individual with a disability.

SECTION 17B. Said section 31 of said chapter 118E, as so appearing, is hereby further amended by adding the following subsection:-

(e) Notwithstanding subsection (b½), there shall be no adjustment or recovery of medical assistance correctly paid from the estate of an individual who was receiving such assistance under the CommonHealth program for adults with disabilities or for payment of personal care attendant services; provided, that the executive office shall seek federal authority, if required, to implement this subsection.”

After remarks, the amendment was adopted.

Messrs. Mark, Gomez, Keenan, Timilty, Moore, Lewis, Payano and O'Connor moved that the proposed new text be amended by inserting at the end thereof the following section:-

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“SECTION XXX. Chapter 10 of the General Laws is hereby amended by inserting after section 35SSS the following section:-

SECTION 35TTT. (a) There shall be established and set up on the books of the commonwealth a separate fund known as the Long-Term Care Workforce and Capital Fund. The fund shall be administered by the secretary of health and human services in consultation with the advisory committee established pursuant to subsection (c). The secretary may use amounts credited to the fund to pay for: (i) the administration of the capital loan program pursuant to subsection (e); and (ii) the workforce training programs pursuant to subsection (d), including the:

(A) program costs, tuition, books and fees related to the cost of education and training for participants in the programs; (B) costs related to obtaining an applicable license, including, but not limited to, examination and licensing fees; (C) stipends for program participants; and (D) stipends for childcare and transportation for program participants.

(b) The fund shall consist of: (i) any revenues or other financing sources directed to the fund by appropriation; (ii) 50 per cent of any amount recovered by the commonwealth and credited thereto in connection with civil actions brought pursuant to section 72K of chapter 111; (iii) bond revenues or other money authorized by the general court and specifically designated to be credited to the fund; (iv) any income derived from the investment of amounts credited to the fund or repayment of loans from the fund; (v) funds from public or private sources, including, but not limited to, gifts, federal or private grants, donations, rebates and settlements received by the commonwealth that are specifically designated to be credited to the fund; and (vi) all other amounts credited or transferred into the fund from any other source. The executive office of health and human services shall seek to maximize fund revenues through federal money, matching funds and grants. Any unexpended balances in the fund at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditures in subsequent fiscal years. Any fiscal year-end balance in the fund shall be excluded from the calculation of the consolidated net surplus pursuant to section 5C of chapter 29. The fund shall not be subject to appropriation.

(c) There shall be an advisory committee that shall consist of the following members: the assistant secretary for MassHealth, or their designee, who shall serve as chair; the secretary of labor and workforce development, or their designee; the commissioner of public health, or their designee; and 6 persons to be appointed by the governor, 1 of whom shall be a representative of the Alzheimer’s Association MA/NH, 1 of whom shall be a representative of AARP Massachusetts, 1 of whom shall be a representative of Dignity Alliance Massachusetts, 1 of whom shall be a representative of Leading Age, 1 of whom shall be a representative of the Massachusetts Senior Care Association, Inc. and 1 of whom shall be a representative of Local 1199 Service Employees International Union.

(d) The secretary of health and human services, in consultation with the advisory committee, shall establish, and the executive office of health and human services shall administer, workforce training grant programs to:

(i) train new certified nurses’ aides to work in licensed long-term care facilities with a

goal of providing free training, testing and licensure fees to 1,000 new certified nurses' aides in areas of the state experiencing high levels of direct care workforce shortages by July 1, 2026;

(ii) advance the skills of certified nurses' aides, home health aides, homemakers and other entry-level workers in long-term care facilities to improve quality of care and improve worker access to and participation in a career pathway to become a licensed practical nurse; These grants shall continue to fund the career pathway program established in Chapter 77 of the Acts of 2023 once initial funding is exhausted; and

(iii) provide long-term care supervisory and leadership training, which shall consist of evidence-based supervisory training for the purposes of improving staff satisfaction, retaining staff and reducing staff turnover;

(iv) subject to appropriation, provide retention bonuses of \$1000 to newly trained certified nurses' aides after they have worked in a designated long-term care facility for at least one year;

(v) the executive office of health and human services, in consultation with the advisory committee, shall establish partnerships with long-term care facilities who are seeking individuals with certified nurses' aide certification. Upon completion of training, testing and licensure, the executive office of health and human services shall connect certified nurses' aides with partner employers; and

(vi) the executive office of health and human services, in consultation with the advisory committee, shall coordinate a public awareness campaign regarding the availability of the workforce training grant programs and promoting a career in the direct care workforce. The awareness campaign shall be conducted in geographically, economically and racially diverse areas of the Commonwealth.

(e) The secretary of health and human services, in consultation with the advisory committee, shall establish a no interest or forgivable capital loan program for skilled nursing facilities to:

(i) support the development of specialized care units, including, but not limited to: (A) infectious disease isolation; (B) dementia special care; (C) degenerative neurological units; (D) geriatric psychiatry; (E) traumatic brain injury; (F) in-house dialysis treatment; (G) behavioral health and substance use disorder; and (H) bariatric patient care;

(ii) enable facilities to offset the costs of pay-go capital; and (iii) support innovative projects, including, but not limited to: (A) converting of sections within skilled nursing facilities into affordable housing, veterans housing or assisted living units to accommodate individual needs of residents; (B) converting multi-bed rooms to single occupancy to enhance privacy and dignity; and (C) establishing voluntary skilled nursing facility reconfigurations, including, but not limited to, providing financial incentives to reduce capacity and balance supply and demand based on regional needs.

(f) Annually, not later than December 1, the secretary of health and human services shall report on the activities of the fund to the clerks of the house of representatives and the senate and to the house and senate committees on ways and means. The report shall include: (i) an accounting of expenditures made from the fund with a description of the authorized purpose of each expenditure; (ii) an accounting of amounts credited to the fund; and (iii) any unexpended balance remaining in the fund.

(g) The advisory council shall convene no later than six months after the passage date of this act.

(h) The workforce training grant programs shall be implemented no more than 1 year after the passage date of this act."

The amendment was *rejected*.

Messrs. Moore, Fattman and Payano moved that the proposed new text be amended by striking sections 1 through 10, inclusive, and 23 and inserting the following the section:-

“SECTION __. There shall be a task force to evaluate permanently adding the provision of skilled nursing services also referred to basic health services in assisted living residences.

(a) The task force shall consist of: the secretary of executive office of health and human services or their designee, who shall serve as chair, 1 of whom shall be a representative of the executive office of elder affairs, 1 of whom shall be a representative of the department of public health, 1 of whom shall be a representative from the office of masshealth, the chairs of the joint committee on elder affairs, 1 of whom shall be a representative of Mass-ALA., 1 of whom shall be a representative of the Massachusetts Senior Care Association, and 3 members appointed by the governor, 1 of whom shall be an assisted living residence provider providing waiver approved skilled nursing services, 1 of whom shall be an assisted living residence provider who does not offer skilled nursing services and 1 of whom shall be a consumer.

(b) In making its recommendations, the task force shall report on, but not be limited to the following items (i) all findings and reports of the assisted living residences who provided skilled nursing services under the state’s basic health services waiver, (ii) staffing, including 24 hour coverage, qualifications, competencies (iii) regulatory oversight of the provision of skilled nursing services in assisted living residences (iv) operational plans (v) access to interoperable electronic health records to ensure continuity of care (vi) patient safety including monitoring of adverse events related to the provision of basic health services (vii) administration and storage of medications provided under skilled nursing services (viii) physical plant modifications required for the safe provision of skilled nursing services in assisted living residences (ix) necessary consumer protections including disclosures as to which assisted living residences will and will not provide skilled nursing services, grievance process, choice of provider and (x) the fiscal feasibility of expanding Medicaid coverage to include assisted living services. The Task Force shall further identify and establish the criteria for conducting an independent systemic evaluation of the potential clinical impact of allowing assisted living residences to provide skilled nursing care.

(c) The task force shall convene its first meeting within 30 days after the effective date of this act. The task force shall submit its report, including any proposed legislation necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and senate, and the joint committee on elder affairs not later than June 30, 2025.”

The amendment was *rejected*.

Recess.

There being no objection, at ten minutes before one o’clock P.M., the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at ten minutes past two o’clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill amending the charter of the town of Wareham (see Senate, No. 2816) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield (Senate, No. 2393),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2893).

Westfield,-- land conveyance.

There being no objection, the rules were suspended, on motion of Mr. O'Connor, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2893) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill authorizing the city of New Bedford to grant a utility easement to the University of Massachusetts Dartmouth (Senate, No. 2412),-- ought to pass with an amendment substituting a new draft entitled "An Act authorizing the city of New Bedford to grant a utility easement to the University of Massachusetts at Dartmouth (Senate, No. 2894).

New Bedford,-- easement.

There being no objection, the rules were suspended, on motion of Mr. Cronin, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2894) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill authorizing the town of Canton to grant temporary and permanent easements of certain land of the town situated in the town of Stoughton for highway purposes (House, No. 3937),-- ought to pass with a amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2886 and by striking the title and inserting the following title "An Act authorizing the town of Canton to grant temporary and permanent easements over certain conservation land situated in the town of Stoughton for highway purposes"

Canton easements.

There being no objection, the rules were suspended, on motion of Mr. Velis and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendments.

Sent to the House for concurrence in the amendments.

By Mr. Rodrigues, for the committee on Ways and Means, that the House authorizing the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land to the city of Lowell (House, No. 4700),-- ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2896.

Lowell,-- land.

There being no objection, the rules were suspended, on motion of Mr. Keenan and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendment.

Sent to the House for concurrence in the amendment.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill to improve quality and oversight of long-term care (House, No. 4193),-- was further considered, the main question being on ordering the bill to a third reading.

Long-term care,--
improve.

Messrs. Keenan, Tarr and Montigny moved that the proposed new text be amended in section 5, by striking out, in lines 66 and 67, the words “and (iii) indicate whether the residence has been approved to provide basic health services” and inserting in place thereof the following words:- “(iii) indicate whether the residence has been approved to provide basic health services; and (iv) indicate the certification’s expiration date”; and in said section 5, by inserting after the word "premises", in line 69, the following words:- "and on the residence’s website”.

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After remarks, the amendment was adopted.

Messrs. Keenan, Tarr and Montigny moved that the proposed new text be amended in section 5 by inserting, after the word “surveys”, in line 143, the following words:- “; provided, however, that a person who has been named as health care agent in a health care proxy may complete said survey on behalf of a resident”.

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The amendment was *rejected*.

Messrs. Keenan, Tarr and Montigny moved that the proposed new text be amended in section 5 by striking, in line 154, the word “may” and inserting in place thereof the following word:- “shall”; and in said section, by inserting, after the word “sponsors”, in line 155, the following words:- “and by posting said reports, responses and notices of final action on the website of the department”.

16

After remarks, the amendment was adopted.

Messrs. Rush, Keenan, Moore and Payano moved that the proposed new text be amended by inserting after section 22 the following section:-

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“SECTION 22A. (a) There shall be a special commission to study oversight of continuing care retirement communities to protect the consumer and financial rights of residents.

(b) The commission shall consist of: the chairs of the joint committee on elder affairs, who shall serve as co-chairs; the attorney general or a designee; the secretary of elder affairs or a designee; the commissioner of public health or a designee; 3 persons to be appointed by the governor, 1 of whom shall be a certified public accountant or an actuary and 2 of whom shall be residents at a continuing care retirement community; a representative of the Massachusetts chapter of National Academy of Elder Law Attorneys; a representative of LeadingAge Massachusetts, Inc.; a representative of Massachusetts Assisted Living Association, Inc.; a representative of AARP Massachusetts; a representative of the Alzheimer’s Association; a representative of Massachusetts Advocates for Nursing Home Reform, Inc.; a representative of the Massachusetts Life Care Residents’ Association, Inc.; a representative of Massachusetts Senior Care Association, Inc.; and a representative of Local 1199 SEIU. The commission shall meet not less than 6 times and shall hold not less than 1 public hearing.

(c) The commission shall study and report on: (i) continuing care retirement communities, their care contracts and their impact on consumers; (ii) the financial viability of such communities; (iii) the payment and return of entrance fees at such communities; (iv) statutory and regulatory oversight of such communities, including any activities by state agencies to enforce regulatory requirements; (v) advertising practices communicated to potential residents and families about such communities; and (vi) regulatory procedures for the closure or change of ownership of such communities.

(d) The commission shall submit a report with recommendations, including legislation or regulations necessary to carry out such recommendations, to the clerks of the house of representatives and the senate, the joint committee on elder affairs and the senate and house committees on ways and means not later than August 1, 2025.”

The amendment was adopted.

Messrs. Rush and Tarr moved that the proposed new text be amended by inserting the following section:-

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“SECTION XX. Section 40 of chapter 19A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting the following section:-

Section 41. The secretary shall, subject to appropriation or the receipt of gifts, grants, and awards from any public or private entity pursuant to section 7 of chapter 19A, establish a statewide ‘Adopt-A-Senior’ volunteer program for the purpose of assisting seniors with snow removal, property or home maintenance services. The department shall have the power to adopt rules and regulations to administer this program which shall include, but not be limited to: (1) coordinating among agencies of the commonwealth and other organizations using community service and volunteerism as a strategy to assist with this program; (2) establishing a registry and registration of volunteer personnel who are available to provide services; (3) establishing procedures for matching and placing individuals with seniors; (4) encouraging the corporate community of the commonwealth to become an active partner in the support, advocacy and promotion of community service and volunteerism relative to this program; and (5) establishing a system of volunteer incentives to assist with recruiting and registration of volunteers.

The amendment was *rejected*.

Messrs. Keenan and Montigny moved that the proposed new text be amended in section 11 by inserting, after the word “commissioner”, in line 464, the following words:- “; provided, however, that new construction of or major addition to any long-term facility shall include rooms allowing for isolating and cohorting infected and at-risk patients in the event of an outbreak of a contagious disease”.

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After remarks, the amendment was *rejected*.

Ms. Lovely and Messrs. Moore, Payano and Montigny moved that the proposed new text be amended by inserting after section 22 the following section:-

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“SECTION 22A. (a) The department of public health shall study and report on the need and feasibility of qualified professional guardians to give informed medical consent for indigent persons and whether such guardians would reduce hospital discharge issues and increase access to long-term care and preventive care; provided, however, that the report shall include, but not be limited to: (i) the need for qualified professional guardians to assist indigent persons with accessing appropriate medical care, including preventive care; (ii) data on the current number of Rogers guardians and similar guardians and the financial impact of reimbursing such guardians; (iii) the fiscal impact of establishing MassHealth fee-for-service guardians; and (iv) other recommendations deemed necessary by the department.

(b) Not later than July 31, 2025, the department shall submit its report, including any proposed legislation necessary to carry out its recommendations, to the clerks of the senate and house of representatives, the senate and house committees on ways and means and the joint committee on elder affairs.”

The amendment was adopted.

Ms. Creem in the Chair, Messrs. Keenan, Montigny, Collins and Oliveira moved that the proposed new text be amended in section 11, by inserting after the word “companies”, in line 381, the following words:- “and, if applicable, the involvement of private equity firms”.

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After remarks, the amendment was adopted.

Messrs. Montigny, Keenan, Moore, Payano and Collins moved that the proposed new

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text be amended by inserting after section 16 the following sections:-

“SECTION 16A. Section 1 of chapter 117A of the General Laws, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any person eligible for assistance under this chapter who is not maintaining their home and is receiving care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest home, or an approved public medical institution as defined in section 8 of chapter 118E, shall retain the first \$100 of their monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$100, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who maintains their own home and receives state supplementary payments pursuant to sections 1 and 2 of chapter 118A.

SECTION 16B. Chapter 118A of General Laws, as so appearing, is hereby amended by inserting after section 7A the following new section:-

Section 7B. Any person eligible for financial assistance under this chapter who is not maintaining their home and is in a licensed medical facility which is eligible for medical assistance payments pursuant to chapter 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall retain the first \$100 of their monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$100, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who maintains their own home and receives state supplementary payments pursuant to sections 1 and 2 of this chapter.

SECTION 16C. Section 15 of chapter 118E of the General Laws, as so appearing, is hereby amended by striking the fourth paragraph and inserting in place thereof the following paragraph:-

A person eligible for medical assistance under this chapter who is not maintaining their own home and is receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest home, an approved public medical institution, or a public psychiatric institution shall retain the first \$100 of their monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$100, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who is maintaining their own home and who is receiving supplemental payments pursuant to sections 1 and 2 of chapter 118A.

SECTION 16D. Section 15 of chapter 118E of the General laws, as so appearing, is hereby amended by striking in the fifth paragraph the figure "\$60" and inserting in place thereof the following figure:- "\$100”.”

After remarks, the amendment was *rejected*.

Messrs. Feeney, Keenan, Timilty, Payano and Collins moved that the proposed new text be amended in section 5, by striking out, in lines 156-160, the words “Section 6. (a) If the department determines a sponsor or applicant has failed or refused to comply with requirements established under this chapter or the regulations promulgated thereunder, the department may: (i) deny an application for recertification; (ii) modify, suspend or revoke a certification; or (iii) issue a fine of not more than \$500 for each day of such failure or refusal to comply” and inserting in place thereof the following words:- “Section 6. (a) If the department determines a sponsor or applicant has failed or refused to comply with

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requirements established under this chapter or the regulations promulgated thereunder, the department may: (i) deny an application for recertification or revoke a certification in the event such failure or noncompliance resulted in actual harm to more than one resident, (ii) issue a time-limited hold on new admissions or modify or suspend a certification in the event such failure or noncompliance resulted in actual harm to at least one resident; or (iii) issue a fine of not more than \$500 for each day of each cited failure or noncompliance, commencing on the date of identification by the department, in the event such failure or refusal to comply reasonably poses a risk to the health, safety or welfare of more than one resident; however, such fine shall not exceed \$5,000 per citation. In no event shall fines be issued when a penalty under (i) or (ii) above is issued by the department”; and

In section 5, by striking out, in line 106, the figure “5” and inserting in place thereof the following figure:- “15”.

The amendment was *rejected*.

Mr. Montigny moved that the proposed new text be amended by inserting after section 10 the following section:-

48

“SECTION 10A. Said chapter 19D is hereby further amended by adding the following section:-

Section 20. (a) Each assisted living residence shall ensure twenty-four hour per day coverage of at least one on-site AED provider, as defined by section 12V½ of chapter 112. Each assisted living residence shall ensure that at least one automated external defibrillator is readily available on site. The department shall not issue certification to any assisted living residence in violation of this section.

(b) Each assisted living residence shall not prohibit a staff person trained in the proper administration of cardiopulmonary resuscitation or use of an automated external defibrillator, in accordance with the definition of “AED provider” in section 12V½ of chapter 112, from administering such emergency assistance to a resident who does not have a documented or clearly visible do not resuscitate order. An assisted living residence may require documentation of proper training from such staff person before such person is permitted to render emergency care in the facility. An assisted living residence may prohibit a staff person not adequately trained in the proper administration of cardiopulmonary resuscitation or use of an automated external defibrillator from administering such emergency assistance to a resident. Such facility shall not retaliate against any trained staff person for rendering emergency assistance, including but not limited to, threatened suspension, demotion or loss of employment.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 10 as written by inserting at the end the following sentence:- “In establishing such regulations the Department shall utilize licensed pharmacists in any capability that enables the Health and Safety Plan regulations and Compliance with this chapter to lessen the staffing burden on facilities.”

49

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section ___ the following sections:-

50

“SECTION X. Notwithstanding any general or special laws to the contrary any Licensed Adult Health Care Facility in the Commonwealth established under 105 CMR 158.005 or any successor regulations shall receive a reimbursement from the Department of Public Health totaling \$X for the establishment of fully licensed Adult Daycare and Childcare services.

SECTION XX. Notwithstanding any general or special laws to the contrary the Department of Public Health shall promulgate rules and regulations to expedite the applications of any skilled ‘Nursing Home’ as defined in Section 71 of Chapter 111 of the

General Laws that are in good standing with the department to expand or add to plans related to Adult Day care providers and programs as defined in 105 CMR 158.

SECTION XXX. The Department of Public Health shall study the costs related to providing financial assistance to individuals using Adult Daycare Facilities for the purposes of transporting the individual to the facility in question. The Department shall review the costs associated with transportation options, the costs associated with possible reimbursements of third party transport options, and any other financial obligations that may be involved. The Department shall publish the results of this study to the Clerks of the House and Senate, and the Chairs of the Joint Committee on Healthcare Financing no later than one year after the enactment of this Act.”

The amendment was *rejected*.

Messrs. Montigny, Oliveira and Collins moved that the proposed new text be amended in section 16 by inserting after the figure “\$500”, in line 809, the following words:- “, unless the department determines a higher amount is appropriate in accordance with 42 CFR 488.438”.

51

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at twelve minutes past three o'clock P.M., on motion of Mr. Montigny, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 221**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

The yeas and nays having been completed at twenty minutes past three o'clock P.M., the amendment was adopted.

There being no objection, during consideration of the Orders of the Day, the following motion was considered:

Moment of Silence.

At the request of the Chair (Ms. Creem), the members, guests and staff stood in a moment of silence and reflection to the memory of Patricia Correia.

Moment of silence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill to improve quality and oversight of long-term care (House, No. 4193),-- was further considered, the main question being on ordering the bill to a third reading.

Long-term care,--
improve.

52

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:-

“SECTION _____. There shall be a task force to evaluate permanently adding the provision of skilled nursing services also referred to basic health services in assisted living residences.

(a) The task force shall consist of: the secretary of executive office of health and human services or their designee, who shall serve as chair, 1 of whom shall be a representative of the executive office of elder affairs, 1 of whom shall be a representative of the department of public health, 1 of whom shall be a representative from the office of masshealth, the chairs of the joint committee on elder affairs, 1 of whom shall be a representative of Mass-ALA., 1 of whom shall be a representative of the Massachusetts Senior Care Association, and 3 members appointed by the governor, 1 of whom shall be an assisted living residence provider providing waiver approved skilled nursing services, 1 of whom shall be an assisted living residence provider who does not offer skilled nursing services and 1 of whom shall be a consumer.

(b) In making its recommendations, the task force shall report on, but not be limited to the following items (i) all findings and reports of the assisted living residences who provided skilled nursing services under the state’s basic health services waiver, (ii) staffing, including 24 hour coverage, qualifications, competencies (iii) regulatory oversight of the provision of skilled nursing services in assisted living residences (iv) operational plans (v) access to interoperable electronic health records to ensure continuity of care (vi) patient safety including monitoring of adverse events related to the provision of basic health services (vii) administration and storage of medications provided under skilled nursing services (viii) physical plant modifications required for the safe provision of skilled nursing services in assisted living residences (viiii) necessary consumer protections including disclosures as to which assisted living residences will and will not provide skilled nursing services, grievance process, choice of provider and (x) the fiscal feasibility of expanding Medicaid coverage to include assisted living services. The Task Force shall further identify and establish the criteria for conducting an independent systemic evaluation of the potential clinical impact of allowing assisted living residences to provide skilled nursing care.

(c) The task force shall convene its first meeting within 30 days after the effective date of this act. The task force shall submit its report, including any proposed legislation necessary to carry out its recommendations, by filing the same with the clerks of the house of representatives and senate, and the joint committee on elder affairs not later than June 30, 2025

SECTION_. Sections 1-10 inclusive and section 23 shall not go into effect under 30 days after submission of the report by said task force.”

The amendment was *rejected*.

Messrs. Tarr, Fattman and Moore moved that the proposed new text be amended by inserting after section _ the following section:-

1

“SECTION_. Chapter 111, as appearing in the Massachusetts General Laws 2018 Edition, is hereby amended by inserting, after section 72BB the following new section:-

Section 72CC. (a) As used in this section the following words shall have the following meaning:- A certified medication aide means a staff member, who meets the eligibility requirements, has successfully completed the required training and competency testing

developed by the Department of Public Health, and is considered competent to administer medications to residents in long-term care facilities.

(b) The Department shall create a program for the administration of medications in long-term care facilities by certified medication aides in consultation with all necessary and relevant appropriate agencies, and licensing boards.

(c) The Department shall develop and approve training curricula, competency evaluation procedures, standards for qualifications of applicants for certification and monitoring and oversight requirements for participating long-term care facilities.

(d) The Department shall establish regulations that include: (1) provisions for continuing education requirements for certified medication aides;

(2) requirements for re-certification of certified medication aides on a biennial basis; and (3) fees for the issuance of certification to certified medication aides.

(e) The Department shall allow for the creation of apprenticeship programs for currently employed resident care assistants (RCAs) and certified nurse aides (CNAs) to become certified medication aides.

(f) The Department may promulgate rules and regulations to carry out the provisions of this section.”

The amendment was *rejected*.

Messrs. Tarr, Keenan, Moore, Collins, O'Connor, Fattman and Durant moved that the proposed new text be amended by inserting after section 22 the following section:-

53

“SECTION 22A. (a) There shall be a taskforce to review the viability and sustainability of long-term care facilities in the commonwealth.

(b) The taskforce shall consist of: the secretary of health and human services, who shall serve as chair; the secretary of elder affairs or a designee; commissioner of public health or a designee; 4 persons to be appointed by the governor, 1 of whom shall represent long-term care facilities, 1 of whom shall operate an assisted living residence, 1 member representing residents of long-term care facilities in the commonwealth. and 1 of whom shall be health care economist; a representative of LeadingAge Massachusetts, Inc., a representative of 1199SEIU; a representative of Massachusetts Association of Residential Care Homes, Inc.; a representative of the Massachusetts Senior Action Council, Inc; and a representative of Massachusetts Senior Care Association.

In making appointments, the governor shall, to the maximum extent feasible, ensure that the task force represents a broad distribution of diverse perspectives and geographic regions.

(c) In making recommendations, the task force shall consider issues including, but not limited to: (i) the demand for long-term care facilities over the next 5 and 10 years and the ability to meet that demand in a cost-effective manner; (ii) the geographic accessibility of such facilities; (iii) staffing challenges and workforce initiatives to support such facilities including but not limited to childcare; (iv) the utilization of pharmacists and other health care providers in long-term care; (v) any policy reforms to strengthen long-term care in the commonwealth including but not limited to, maintaining quality of care; (vii) the adequacy of payor rates; (viii) costs and impacts of financing for facility construction and maintenance, including but not limited to, private equity and real estate investment trusts; and (ix) costs associated with transportation options to and from facilities for individuals.

(d) The task force shall submit its report, recommendations and any proposed legislation necessary to carry out its recommendations to the clerks of the senate and house of representatives, the joint committee on health care financing, the joint committee on elder affairs and the senate and house committees on ways and means not later than July 31, 2025.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at fourteen minutes before four o'clock P.M., on motion of Mr. Tarr, as

follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 222**]:

YEAS.

Barrett, Michael J.	Kennedy, Edward J.
Brady, Michael D.	Kennedy, Robyn K.
Brownsberger, William N.	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Mark, Paul W.
Creem, Cynthia Stone	Miranda, Liz
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
Durant, Peter J.	Oliveira, Jacob R.
Edwards, Lydia	Pacheco, Marc R.
Eldridge, James B.	Payano, Pavel M.
Fattman, Ryan C.	Rausch, Rebecca L.
Feeney, Paul R.	Rodrigues, Michael J.
Finegold, Barry R.	Rush, Michael F.
Friedman, Cindy F.	Tarr, Bruce E.
Gomez, Adam	Timilty, Walter F.
Jehlen, Patricia D.	Velis, John C. – 39.
Keenan, John F.	

NAYS – 0.

The yeas and nays having been completed at five minutes before four o'clock P.M., the amendment was adopted.

Messrs. Montigny, Tarr and Collins moved that the proposed new text be amended by inserting after section 22 the following section:-

38

“SECTION 22A. (a) Notwithstanding any general or special law to the contrary, there shall be an assisted living residences commission to study and recommend policies to ensure assisted living residences adequately meet the health and safety needs of residents. The areas examined by the commission shall include, but not be limited to: (i) the current statutory and regulatory oversight of assisted living residences; (ii) assisted living best practices in other states; (iii) the impacts of licensing or certifying such residences; (iv) advertising practices of assisted living residences to potential residents and their families; (v) regulatory procedures for opening, closing or changing ownership of a residence, including determination of need processes and clustering of facilities; (vi) trends in incident reports made to the executive office of elder affairs and the long term care ombudsman’s office and resolutions of such incidents; (vii) methods to provide transparency of information for potential consumers and family members researching and comparing residences; (viii) safety standards; (ix) existing consumer protections for residents in statutes and regulations; and (x) basic health services in residences.

(b) The commission shall consist of: the secretary of elder affairs, who shall serve as chair; the commissioner of public health or a designee; the assistant secretary of MassHealth or a designee; the long term care ombudsman or a designee; the chairs of the joint committee on elder affairs; 1 member to be appointed by the senate president; 1 member to be appointed by the speaker of the house; 1 member to be appointed by the senate minority member; 1 member to be appointed by the house minority member; 1 members to be appointed by the governor; a representative of the Massachusetts chapter of the National Academy of Elder Law Attorneys; a representative of LeadingAge Massachusetts, Inc.; a

representative of the Massachusetts Assisted Living Association, Inc.; a representative of AARP Massachusetts; a representative of the New England chapter of the Gerontological Advanced Practice Nurses Association; a representative of the Massachusetts chapter of the Alzheimer’s Association; a representative of MassPACE, Inc.; a representative of Greater Boston Legal Services, Inc.; and 2 of whom shall be residents or family members of residents at an assisted living residence. The commission shall meet not less than 5 times and shall hold not less than 1 public hearing.

(c) The commission shall file its report and recommendations, including any proposed legislation necessary to carry out its recommendations, to the clerks of the senate and house of representatives, the joint committee on elder affairs and the house and senate committees on ways and means not later than August 1, 2025.”

After remarks, the amendment was adopted.

Messrs. Montigny, Keenan, Moore, Payano and Collins moved that the proposed new text be amended by inserting after section 16 the following section:-

41

“SECTION 16A. Section 14A of chapter 118E of the General Laws, as so appearing, is hereby amended by adding the following two paragraphs:-

In the event that a nursing facility resident who is a MassHealth recipient enters a hospital, the division shall pay to preserve his or her bed in the nursing facility for a period of up to and including 20 days per medical event. The division shall reimburse the nursing facility for the medical leave of absence, which shall include an observation stay in a hospital in excess of 24 hours.

In the event a MassHealth member is residing in a nursing facility and requests a nonmedical leave of absence, the division shall pay to preserve his or her bed in the facility for a period of up to and including 10 calendar days per year. The division shall reimburse the nursing facility for the nonmedical leave of absence.”

After remarks, the amendment was *rejected*.

Mr. Collins moved that the proposed new text be amended by inserting in section 11, in proposed section 71 of chapter 111 of the General Laws, by adding the following subsection:-

46

(q) The department shall notify the clerks of the senate and house of representatives, the joint committee on elder affairs and the senate and house committees on ways and means within 3 business days of being notified of a long-term care facility’s decision to close pursuant to department regulations.

The amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 1, by striking out in lines 10 and 11, the words “provided, however, that such services shall include:” and inserting in place thereof the following words:- “provided, however, that such services shall include all of the following:”;

22

In section 4, by inserting after the word “services”, in line 36, the second time it appears, the following words:- “, where applicable,”;

In section 5, by striking out, in line 49, the words “or participants in the department’s congregate housing program”;

In section 7, by inserting after the word “consultation”, in line 207, the following words:- “at all times; provided, however, that the nurse shall not be required to be on the premises”;

In said section 7, in proposed subsection (h) of section 10 of chapter 19D of the General Laws, by striking out the second sentence and inserting in place thereof the following sentence:- “If the department determines that a residence is offering basic health services without certification, the department shall issue a fine of not more than \$1,000 per day.”;

In section 11, by striking out, in lines 422, 423, 430 and 432, the word "professional" and inserting in place thereof, in each instance, the following word:- “occupational”.

In said section 11, by inserting after the word “court”, in line 434, the following words:-
“pursuant to chapter 30A”;

In section 12, in proposed subsection (b) of section 72FF of chapter 111 of the General Laws, by striking out clause (v) and inserting in place thereof the following clause:-

“(v) repeatedly and intentionally failing to use a resident's chosen name or pronouns after being informed of the chosen name or pronouns, in a manner that constitutes discrimination or harassment in violation of any applicable federal, state or local law.”;

In section 12, by striking out, in line 535, the words “in equity” and inserting in place thereof the following words: “pursuant to chapter 30A”; and

By inserting after section 19 the following section:-

“SECTION 19A. Section 23 of chapter 20 of the acts of 2021 is hereby repealed.”

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill, as amended, was then ordered to a third reading and read a third time.

There being no objection, during consideration of the Orders of the Day, the following matters were considered:

Orders Adopted.

Mr. Rodrigues offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758), to be reported by the committee on Ways and Means with a recommended new text Senate document numbered 2898, on Monday, July 29, 2024, and read into the Senate Journal on Monday, July 29, 2024, shall be placed in the Orders of the Day for a second reading on Tuesday, July 30, 2024, with the Ways and Means new text S2898 pending.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, July 29, 2024. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2898), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

The rules were suspended, on motion of Ms. Rausch, and the order was considered forthwith and adopted.

Mr. Rodrigues offered the following order:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill promoting access to midwifery care and out-of-hospital birth options (House, No. 4785), to be reported by the committee on Ways and Means with a recommended new text Senate document numbered 2899, on Monday, July 29, 2024, and read into the Senate Journal on Monday, July 29, 2024, shall be placed in the Orders of the Day for a second reading on Tuesday, July 30, 2024, with the Ways and Means new text S2899 pending.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M., on Monday, July 29, 2024. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2899), but further amendments in the third degree to such amendments shall be in order. The Clerk shall

further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

The rules were suspended, on motion of Ms. Lovely, and the order was considered forthwith and adopted.

Report of a Committee.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The House Bill amending Chapter 336 of the Acts of 1939 concerning the establishment of the Lynnfield Center Water District (House, No. 3808).

Lynnfield,-- Center Water District.

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act further regulating the Lynnfield Center Water District".

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill to improve quality and oversight of long-term care (House, No. 4193),-- was further considered, the main question being on passing the bill to be engrossed.

Long-term care,-- improve.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays at a half past four o'clock P.M., on motion of Ms. Jehlen, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 223**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

The yeas and nays having been completed at twenty-two minutes before five o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendment. [For text of Senate amendment, printed as amended, see Senate, No. 2900] Sent to the House for concurrence in the amendment.

Reports of Committees.

Mr. Brownsberger in the Chair, by Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order granting the committee on the Judiciary until July 31, 2024, within which time to make its final report on current Senate documents numbered 906, 920, 938, 942, 955, 962, 973, 977, 982, 1009, 1011, 1016, 1036, 1040, 1050, 1053, 1098, 1101, 1104, 1114, 1129, 1140, 2809, and 2835, relative to judicial matters (Senate, No. 2849),-- ought to be adopted.

Judiciary,-- extension order.

The rules were suspended, on motion of Mr. Eldridge, and, after remarks, the order was considered forthwith and adopted. Sent to the House for concurrence.

PAPER FROM THE HOUSE

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith as follows:

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Wednesday, July 31, 2024 within which time to make its final report on current House documents numbered 1391, 1404, 1408, 1485, 1492, 1533, 1537, 1538, 1548, 1594, 1599, 1648, 1657, 1710, 1716, 1752, 1754, 1791, 1820, 3589, 3762, 3786, 3921, 3957, 4709 and 4731.

The Judiciary,-- extension order.

The rules were suspended, on motion of Mr. Eldridge, and the order (House, No. 4815) was considered forthwith; and, was adopted, in concurrence.

Order Adopted.

On motion of Mr. Durant:--

Ordered, That when the Senate adjourns today, it adjourns to meet again on Monday next, at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of Terence P. O'Coin.

The Senator from Worcester and Hampshire, Mr. Durant and the Senator from Worcester and Hampden, Mr. Fattman, moved that when the Senate adjourns today, it do so in memory of Terence P. O'Coin.

Terry was born in Worcester, on August 31st, 1961, and was adopted by Joseph and Jane O'Coin. He was raised and attended school in Auburn. He is a 1983 graduate of Worcester Polytechnic Institute where he earned a Bachelor of Science and a Master of Science in Computer Science.

He married his soulmate, Mary O'Coin, in 1998, and celebrated nearly 26 years of marriage. He was the loving father of Charles and Emma. Terry was a devoted family man.

Terry was actively involved in the community he lived in. He was the Cedar Meadow Watershed District Treasurer for 28 years, a member of the Mathematical Sciences and

Mechanical Sciences advisory boards at Worcester Polytechnic Institute, and most recently a Trustee of the Board at Old Sturbridge Village.

Terence P. O'Coin passed away on Monday, May 17th, 2024 at UMass Memorial Medical Center in Worcester due to pancreatic cancer surrounded by his loving family. He was 62 years old.

Today we honor Terry and his love of family, travel, his community, and WPI. Terry will be greatly missed.

Accordingly, as a mark of respect to the memory of Terence P. O'Coin., at eleven minutes past five o'clock P.M., on motion of Mr. Durant, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.

Adjournment in Memory of Patricia "Pat" Correira.

The Senator from Hampden, Hampshire & Worcester, Mr. Oliveira, moved that when the Senate adjourns today, it do so in memory of Patricia "Pat" Correira.

Today we honor the life and legacy of an extraordinary woman, Patricia "Pat" Correira of Wilbraham, who passed away peacefully on July 20th, 2024, at the age of 83, surrounded by her loving family.

From the beginning of my career in public service on the Ludlow School Committee, Pat was not only a mentor to me; she was a dear friend.

She was born in Springfield, where she made her home and raised a family with her high-school sweetheart and husband of over 50 years, Alvin Correira.

A devoted wife and mother, Pat graduated from Springfield Trade High School and actively engaged in various roles on political campaigns. Eventually, she recognized the need to serve the residents and students of Springfield herself, running for and winning a seat on the Springfield School Committee.

On the School Committee, she was a fierce and tireless advocate for students and her city. She served for 12 years, during which time she honed her skills as a policymaker and collaborator. She was elected Vice-Chair of the Committee and played a crucial role in the campaign for a new high school as a member of the School Building Committee.

During her tenure, Pat served as a legislative aide to Senator Linda Melconian and as the 2nd Vice President of the Massachusetts Association of School Committees.

After retiring from the School Committee, Pat became a Field Director and Policy Consultant for the Massachusetts Association of School Committees, where she helped thousands of School Committee Members across the Commonwealth become better leaders, positive role models for their communities, and passionate advocates here at the State House. In 1988, the MASC honored Pat with a Life Membership. If you were a School Committee Member here in Massachusetts, Pat Correira probably made an impact on you.

Pat cherished time with her loving family and often talked of vacationing at the Cape and Aruba. Pat leaves behind her daughter Patti Ovitt and her husband Kirt, her son David and his wife Diane, her grandchildren Jessica Vivencio and her husband Alex, Tyler Ovitt, Benjamin and Joshua Correira, Nicholas and Joseph D'Ambruso, Alexandria Colby and her husband Evin, and her great-grandchild Everett Colby. She also leaves behind to cherish her memory her beloved sister-cousin Joan Collins and her sister-in-law Concetta Costello.

She is predeceased by her husband, Alvin, and her brother, Jack Costello. She also leaves behind her close friends Andrea Lanzillo and former Rep. Rosemary Sandlin and her family with the Massachusetts Association of School Committees.

Accordingly, as a mark of respect to the memory of Patricia "Pat" Correira, at eleven

UNCORRECTED PROOF.

minutes past five o'clock P.M., on motion of Mr. Durant, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.
