

# HOUSE . . . . . No. 1535

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By Mr. Kennedy of Brockton, petition of Thomas P. Kennedy for legislation to ensure payment for criminal offender record information checks for long-term care employees. The Judiciary.

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## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO ENSURE PAYMENT FOR CRIMINAL OFFENDER RECORD INFORMATION CHECKS FOR LONG TERM CARE EMPLOYEES.

*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 172E of Chapter 6 of the General Laws is hereby  
2 amended by deleting the last paragraph and inserting in place thereof  
3 the following:—  
4 Notwithstanding the provisions of any general or special law or  
5 regulation to the contrary, the office of medicaid shall reimburse  
6 long term care facilities for the publicly aided portion of the costs  
7 associated with obtaining criminal offender record information on  
8 employees pursuant to this section. To the extent adequate provision  
9 to reimburse said costs is not specifically provided for in a long term  
10 care facility's rate of payment, the long term care facility shall be  
11 entitled to bill said division for said costs and the division shall pay  
12 any such bill within thirty days of receipt. Any long term care  
13 facility submitting a bill to the division shall attach thereto copies of  
14 available invoices and checks and shall submit a certification to the  
15 division attesting (i) that its bill to the division is for criminal  
16 offender record information costs actually incurred and (ii) that the  
17 bill is accurately prorated to reflect the percentage of publicly aided  
18 residents in the long term care facility on the day(s) the criminal  
19 offender record information costs were actually incurred. The long  
20 term care facility's prorated calculation shall be accurately set forth  
21 on its bill to the division. The department may adopt regulations to  
22 implement the provisions of this paragraph provided, however, that  
23 the absence of any such regulation shall not relieve the division of  
24 its payment obligation hereunder.

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