

SENATE, NO. 398

The Commonwealth of Massachusetts



IN THE YEAR OF TWO THOUSAND AND SEVEN

RESOLVE creating a special commission on institutional long term care services

*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. Notwithstanding any general or special laws to the contrary, there shall be a
2 special commission established to examine the Commonwealth's institutional long term care
3 system, which shall recommend a plan to provide a seamless transition to a continuum of long
4 term care services for elders and persons with disabilities that recognizes the central place of
5 consumer choice and consumer control in any long term care setting; evaluate options and
6 prepare policy recommendations regarding potential savings to the commonwealth achieved by
7 reducing the number of MassHealth licensed nursing home beds; develop recommendations as
8 to the criteria to be used to determine which beds are de-licensed, provided that said criteria
9 shall include at a minimum established Quality Indicators and other quality measures, such as
10 staffing levels, turnover rate and training options for direct care staff; and to consider any

11 programmatic or financial incentives to reduce the number of nursing home beds, convert said
12 beds to subacute beds or other uses, or otherwise more efficiently use the institutional long term
13 care facilities in the Commonwealth.

14 The commission shall consist of 13 members, 1 of whom shall be the secretary of health and
15 human services or his designee, 1 of whom shall be the secretary of elder affairs or her
16 designee, 1 of whom shall be the director of the office of Medicaid or her designee, 1 of whom
17 shall be the Attorney General or her designee, 1 of whom shall be the Auditor or his designee, 1
18 of whom shall be the senate chair of the joint committee on health care financing, 1 of whom
19 shall be the house chair of the joint committee on health care financing, 1 of whom shall be a
20 consumers or consumer surrogates member of the PCA quality home care workforce council
21 approved by a majority of the Council, and 5 persons to be appointed by the governor, 1 of
22 whom shall be a health care economist, 1 of whom shall be a representative of 1199SEIU, 1 of
23 whom shall be a representative of the Statewide Independent Living Council, 1 of whom shall
24 be a representative of the Massachusetts Extended Care Federation, 1 of whom shall be a
25 representative of Mass Home Care. The commission shall be co-chaired by the senate and house
26 chairpersons of the joint committee on health care financing.

27 The commission shall meet within 30 days of passage, and not less than quarterly thereafter, and
28 shall release its first recommendations to the house and senate committees on ways and means
29 no later than December 31, 2007.