

SENATE NO. 408

AN ACT REQUIRING WRITTEN RESPONSES TO INQUIRIES FROM FAMILY MEMBERS AND GUARDIANS OF NURSING HOME, REST HOME AND LONG-TERM CARE FACILITY RESIDENTS

*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. Chapter 111 of the General Laws is hereby amended by inserting after section 72E
2 the following section:-

3 Section 72 ½. (a) For purposes of this section, the following words shall have the
4 following meanings:-

5 “Administrator”, the head administrator or supervisor of a nursing home, rest home or
6 long-term care facility.

7 “Family member”, the spouse, son, daughter or sibling of a person who resides in a
8 nursing home, rest home or long-term care facility.

9 “Guardian”, a person who has qualified as a legal guardian of a person who is a resident
10 in a nursing home, rest home or long-term care facility.

11 (b) If a family member or guardian of a resident of a nursing home, rest home or long-
12 term care facility raises a specific concern about the health or safety of such a resident either
13 verbally or in writing to such home or facility, the administrator shall respond in writing to the
14 family member or guardian within 30 days of the home's or facility's receipt of
15 communication. The written response shall identify the concerns raised by the family member
16 or guardian and shall explain what corrective action, if any, the administrator shall take. If an
17 administrator requires further information in order to respond, the administrator shall request
18 such additional information within 15 days of the receipt of the initial communication, and shall
19 then respond in writing to the concern not later than 30 days after receiving any additional
20 information.