

SENATE NO. 765

AN ACT TO PROTECT THE INTERESTS OF CONSUMERS IN SENIOR LIFESTYLE COMMUNITIES

*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 the provisions of any other general or special law to the contrary,
2 there is hereby established a Special Commission on Protection of Consumer Interests in
3 Continuing Care Senior Lifestyle Retirement Communities. The Commission shall make and
4 investigation and study of the need for legislation, regulatory oversight, or other means to ensure
5 that the financial interests of consumers who join senior lifestyle communities are protected against
6 fraud and abuse in marketing of said communities and for protection of the investment or payment
7 for membership in such communities.

8 As used in this act, a “continuing care senior lifestyle retirement community (CCRC)” is a
9 community which offers several levels of assistance, including independent living, assisted living
10 and nursing home care. It is different from other housing and care facilities for seniors because it
11 usually provides a written agreement or long-term contract between the resident (frequently lasting
12 the term of the resident's lifetime) and the community which offers a continuum of housing,
13 services and health care system, commonly all on one campus or site.

14 The commission shall consist of the secretary of elder affairs, or his designee; the secretary of
15 housing and economic development, or his designee; the commissioner of insurance, or his
16 designee, the executive director of Massachusetts Health Care for All, Inc. or his designee; the
17 president of Massachusetts Chapter of the American Association of Retired Persons, or his
18 designee; the House and Senate chairs of the joint committee on elder affairs, the House and Senate
19 chairs of the joint committee on health care financing; the House and Senate chairs of the joint
20 committee on housing; a member of the Senate appointed by the Senate Minority Leader; a member
21 of the House of Representatives appointed by the House Minority Leader; and four members
22 appointed by the Governor with expertise in senior lifestyle retirement communities including at
23 least one consumer/resident of such a community.

24 The commission shall submit a final report to the Governor and General Court, together with any
25 recommendations for legislation within two years of its organization.