

SENATE No. 320

The Commonwealth of Massachusetts

PRESENTED BY:

Moore, Richard (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to Protect the Interests of Consumers in Senior Lifestyle Communities

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Moore, Richard (SEN)	Worcester and Norfolk
Patricia D. Jehlen	Second Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00765 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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

8 As used in this act, a “continuing care resident community (CCRC)” is a community which
9 offers several levels of assistance, including independent living, assisted living and nursing home
10 care. It is different from other housing and care facilities for seniors because it usually provides a
11 written agreement or long-term contract between the resident (frequently lasting the term of the

12 resident's lifetime) and the community which offers a continuum of housing, services and health
13 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 attorney general, or his designee; the
16 president of Massachusetts Chapter of the American Association of Retired Persons, or his
17 designee; the president of the Massachusetts Life Care Residents Association, or his designee;
18 the House and Senate chairs of the joint committee on elder affairs, the House and Senate chairs
19 of the joint committee on health care financing; a member of the Senate appointed by the Senate
20 Minority Leader; a member of the House of Representatives appointed by the House Minority
21 Leader; and four members appointed by the Governor with expertise in senior lifestyle
22 retirement communities including at least one consumer/resident of such a community.

23 The commission shall submit a final report to the Governor and General Court, together with any
24 recommendations for legislation by December 31, 2010.