# Assisted Living Residences (ALR) Commission

Meeting Minutes

Wednesday, July 23, 2025

10:30 am - 12:00 pm

Date of meeting: Wednesday, July 23, 2025

Start time: 10:30 am

End time: 12:00 pm

Location: Virtual Meeting (Zoom)

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| **Votes** | **Members** | **Present** | **Vote 1:****To Extend the Commission’s work by at least 90 days** | **Vote II: Motion to Adjourn** |
| **1** | **Secretary Robin Lipson** – Secretary, Executive Office of Aging & Independence (AGE) *(Chair)* | X | X | X |
| **2** | **Dr. Jessica Zeidman** – Deputy Commissioner/Chief Medical Officer, Department of Public Health | X | X | X |
| **3** | **Pavel Terpelets** – Director of Institutional Programs, Office of Long-Term Services and Supports (OLTSS), MassHealth | X | X | X |
| **4** | **Carolyn Fenn** – State Ombudsman and Director of the Long-Term Care Ombudsman Program, EOHHS | X | X | X |
| **5** | **Representative Thomas Stanley** – State Legislator, Mass. House of Representatives  | X | X | X |
| **6** | **Senator Patricia Jehlen** – State Legislator, Mass. Senate | X | X |  X |
| **7** | **Senator Mark Montigny** – State Legislator, Mass. Senate | X | X | X |
| **8** | **Matt Salmon** – CEO, Salmon Health and Retirement | X | X | X |
| **9** | **Tara Gregorio** – President, Massachusetts Senior Care Association (MSCA) | X | X | X |
| **10** | **Mathew Muratore** – Appointee of the House Minority Leader | X | X | X |
| **11** | **Beth Anderson**– An Appointee of the Governor, Vice President at EPOCH Senior Living | X | X | X |
| **12** | **Kathleen Lynch Moncata** – An Appointee of the Governor, Attorney | X | X | X |
| **13** | **Rose-Marie Cervone**– An Appointee of the Governor | X | X | X |
| **14** | **Liane Zeitz** – Owner, Law Office of Liane Zeitz, the representative of the Massachusetts chapter of the National Academy of Elder Law Attorneys | - | - | - |
| **15** | **Elissa Sherman,** President of LeadingAge Massachusetts, Inc. | X |  X | X |
| **16** | **Brian Doherty,** President & CEO of Massachusetts Assisted Living Association, Inc. (Mass-ALA) | X | X | X |
| **17** | **Jennifer Benson** – State Director of AARP Massachusetts | X | X | X |
| **18** | **Katherine Ladetto** – Assistant Professor, School of Nursing, Simmons University, the representative of the New England chapter of the Gerontological Advanced Practice Nurses Association | - | - | - |
| **19** | **Lainey Titus Samant** – Senior Advocacy Manager, Alzheimer’s Association, MA/NH Chapter | X | X | X |
| **20** | **Dr. Jennifer Maynard** –Executive Director, Massachusetts Program of All-Inclusive Care for the Elderly (Mass. PACE) | X | X | X |
| **21** | **Lindsay Mitnik** –Staff Attorney, Elder Law- Greater Boston Legal Services | X | X | X |

**\*** (X) Voted in favor; (O) Opposed; (A) Abstained from vote; (-) Absent from meeting or during vote

**Proceedings**

Robin Lipson, Secretary of the Executive Office of Aging & Independence (AGE), welcomed everyone. She noted that the meeting was being conducted pursuant to the Open Meeting Law. Attendance was taken.  *See* Chart above. Secretary Lipson began by giving updates about all that has happened in the last week concerning the Gabriel House fire.

Yesterday, the Bristol County District Attorney shared updates on the potential cause of the fire at Gabriel House. The cause remains unofficially undetermined due to multiple factors. It is clear that it has been deemed an accident—either the result of a malfunctioning oxygen concentrator, or improper use of smoking materials near oxygen-related equipment. Secretary Lipson noted that an oxygen concentrator is not the same thing as an oxygen cannister or an oxygen tank.

The fact that this was deemed an accident and not caused by other factors such as building integrity allows us to focus our energy on where it is needed most, which is to ensure that our regulatory environment, oversight, and practices are centered on the safety and wellbeing of Residents. This is the moment for us to ask what did we learn and what more can we do to enhance Resident safety as we craft our recommendations.

Secretary Lipson mentioned that she had the opportunity to be in Fall River yesterday with Governor Maura Healey, the Secretary of the Executive Office of Health and Human Services, Kiame Mahaniah, and Whitney Moyer, the Chief Operating Officer of the Executive Office of Aging & Independence. They had the opportunity to meet with first responders, city officials, and local legislators to hear what they have learned about the fire. Secretary Lipson will share some of their comments and reflections in a minute. First, she wants to touch base on some of the specific actions that the Healey-Driscoll Administration have taken in the last week in response to the fire.

First, the Executive Office of Health and Human Service has established a cross-agency workgroup to focus on supporting Gabriel House Residents displaced by the fire to find new permanent residences. This work is ongoing, and the group is meeting regularly.

Additionally, this past Monday, AGE rolled out a new fire and life safety initiative to ensure that all 273 Residences in Massachusetts are prepared to protect Residents during emergencies. We have asked all ALRs to issue a letter to Residents and families within five business days, outlining fire safety protocols, evacuation procedures, and key points of contact for questions and concerns. She knows that many Assisted Living Residences (ALRs) were doing this before AGE released the request to do so. Secretary Lipson wants to thank the industry for being so responsive. She has heard from friends, colleagues, and family members who have loved ones in ALRs that these letters have been extremely reassuring and helpful. To all of you involved in that, thank you very much—it does make a difference for people to know that you are focused on this and thoughtful about this.

Additionally, AGE instructed ALRs to ensure evacuation instructions and exit routes are posted inside each Resident’s Unit and in all common areas. AGE also sent out a fire safety assessment survey that everyone must complete and return within 30 days reaffirming compliance with fire safety requirements such as sprinkler systems, fire drills, evacuation protocols, and maintenance of fire related doors and walls.

Providers will also report the age in key systems within their buildings to help us prioritize oversight. Finally, ALRs must submit their current site-specific disaster and emergency preparedness plan to AGE within those same 30 days. ALRs can send those things in together. AGE tried to make this simple and streamlined, but AGE wants a way to collect the information from every building out there to make sure that everybody is up-to-date and compliant.

Yesterday, Governor Healey announced that $5.7 million dollars will be made available on an expedited basis to support emergency responder staffing in Fall River and other eligible communities. As you know, supporting our first responders is essential to fostering safer, more resilient communities across Massachusetts. The expedited release of this funding reflects the Healey-Driscoll Administration’s very strong commitment to public safety and to the cities and towns that depend on this critical funding.

As Secretary Lipson mentioned earlier, she was in Fall River with Whitney Moyer yesterday. They heard from several chiefs of city departments, including EMS and first responders. They shared their recommendations about what they would like to see happen. Secretary Lipson wants to share some of that to give everyone a sense of what people are thinking about—these are not all recommendations that fall in the lane of the Commission necessarily, but she thinks it is interesting and instructive to hear the range of ideas that city officials had. Secretary Lipson and Whitney Moyer heard recommendations on creating restrictions on using vinyl siding because of the material’s high burn rate—especially at the entryways of buildings.

They also heard suggestions that buildings that are over 35,000 cubic feet should be required to have HVAC systems to avoid the need for window units. Window units made window evacuations difficult during the Gabriel House fire. Another thing they heard was that it would have been helpful to have a digital census that includes individual care needs, such as mobility information, for the first responders to use. We have discussed the need for electronic information about medication and Residents’ need in AGE’s own internal conversations. Another recommendation was for emergency officials to have a census and a blueprint ready and available so that they could map out units where people needed evacuation and support. If that information had been available digitally, the first responders thought that may have been helpful.

They also suggested, in their view, that it would be helpful if non-ambulatory Residents could live on the first floor. We know that is not feasible everywhere, and in fact, it is not feasible in many places. Another suggestion along those lines was that signs be put on doors or next to doors to indicate what the room is used for—so if it is a closet or a storage space, or a place that is not occupied by an individual, if it were labeled properly, the first responders might not spend time breaking down that door and looking for someone who needed assistance to evacuate. They would like some indicator near people’s rooms about whether Residents need additional assistance evacuating—such as if they are mobility impaired, visually impaired, etc.

They also suggested markings on floors or some way for people to find their way out if their vision is affected by smoke. Another suggestion was the use of evacuation chairs or sleds, which hang on the walls on each floor, underneath a fire extinguisher—this is common in many healthcare facilities. There were recommendations about fire safety—that we move from a “fire safety” model to a “smoke safety” model. Managing through an evacuation with smoke is very different than clearing a building for a fire. They suggested that fire drills be updated to include Residents. We need to do a better job teaching Residents to shelter in place—they are better off to be in their rooms, if there is no smoke in their rooms, then going out into the hallway where there might be smoke. These are hard things for people to absorb and integrate into their behavior.

Another recommendation was for temporary staff to be required to participate in emergency training drills. The observation is that during staff shortages temporary staff are brought in--there is a question about whether they have participated in drills and understand what the protocols are.

Senator Mark Montigny noted he greatly appreciates that the Healey Administration has taken this on at an emergency level. He will make a motion regarding the work of the Commission and the report when the time is appropriate.

Secretary Lipson added that she also spent time at the Aging Service Access Point (ASAP), Bristol Aging and Wellness. They have done a phenomenal job of being in touch with every Resident, of connecting them with a case manager—if they were moved to a nursing home, connecting them with one of the ombudspeople. They have done an extraordinary job. They have helped coordinate responses from local organizations like United Way to make sure that people don’t get six boxes of toiletries and no food, or to make sure people have phones and a way to deal with their business. There has been a great community response on the ground.

Senator Patricia Jehlen commented that many of these ideas should not just be limited to ALRs. She hopes that a review of regulations for all types of congregate living is happening. She hopes that this message is going all the way up to Executive Office of Health and Human Services and that there is a review of everybody’s regulations.

Secretary Lipson confirmed that this message was sent loud and clear yesterday. They talked about all kinds of congregate living environments in Fall River. Secretary Kiame Mahaniah and Governor Healey offered those recommendations.

Dr. Jennifer Maynard commented about the recommendation around lists of individuals and what their needs are—this is consistent in programs that have things like day centers. Additionally, a lot of those programs also must assign a risk level so that you can easily identify folks that for example have oxygen, require mobility assistance, etc.—so that you are not looking through a list of maybe a hundred people. You can prioritize the highest risk folks.

Secretary Lipson noted that one of the points that the Governor made yesterday was that the Legislature had the foresight to call for some changes in and a close examination of practices in ALRs, which we saw in the Long-Term Care Bill. For the better part of a year, this Commission has been meeting to fulfill the requirements of the Long-Term Care Bill. The administration has been working on regulations that are also required by that Bill. The Attorney General’s Office has been working on consumer protection regulations. Last week’s tragedy underscores the urgency and importance of this Commission’s work and of doing the work very well.

Secretary Lipson noted that she thinks there is a merging consensus that the Commission would benefit from having a little more time to incorporate the key takeaways into our recommendations so that they are as meaningful as possible.

Senator Montigny stated that he thinks it is important that the Commission get extended for a minimum of 90 days so we can bring in public safety experts, preparedness officials, and others to speak directly to this investigation. He agrees with Senator Jehlen. He wants to see conclusions and recommendations of specific legislation that the Commission votes to recommend to the Legislature. He wants to use the current focus from the Legislature, the Administration, the media, and the advocates to actually get firm recommendations and to finally do what we should have done 20 years ago.

He added that good regulation and good law gets submerged by the bad lobbying special interests. That is what has gone on here. He thinks that this has been one of the most productive Commissions. He recommends that the Commission strengthen the safety aspects of the report with experts, some of whom perhaps can comment on the immediate investigation—but he also thinks we need a broader perspective on how we prepare Residents so that this never happens again.

Senator Montigny made a motion to extend the Commission for a minimum of 90 days. Secretary Lipson noted that multiple hands have been raised. She would like to take a minute and have more discussion—she wants to understand from Commission members if there is consensus to extend the work of the Commission.

Representative Thomas Stanley mentioned that he would like the Commission’s final report to address transparency, oversight, improved healthcare—there was so much more that was included in the Long-Term Care Bill. The Long-Term Care Bill created 5 commissions that look at other settings. He believes that the area of affordable ALRs needs extra attention—affordable ALRs are different.

Secretary Lipson thanked Representative Stanley for mentioning the 5 commissions. She thinks it would be helpful to see if there are common themes that carry through the various commissions.

Jennifer Benson noted that in reading the report it does not read as a report that makes recommendations to the Legislature. Her concern is that the report needs to be more specific. There needs to be more deliberation by this body in order to make more specific recommendations. As she reads the draft report, it reads as a summary of conversations the Commission has had. We want this report to be an actionable document. She agrees with the need to extend—she questions whether or not 90 days is sufficient.

She is concerned that we need to have a significant dive into emergency preparedness, how that is presented to the public, and how people as they make these important decisions can weigh one facility against another. They need to know that those emergency plans are in place for their loved ones. This is inclusive of so many of the points we have already discussed and it is not a one-size-fits-all approach of ensuring safety precautions, emergency procedures, and the like. It touches staffing, it touches affordability—it touches so many other places in the report that we’ve already discussed.

Ms. Benson noted that if we are going to do our due diligence by this, we need to have the time to truly deliberate and open up and be more specific about the recommendations we are making. This will change potentially legislative language and therefore regulatory language and oversight, but for the good. She would rather do it right the first time than have to come back and revisit these issues in a future setting.

Matt Salmon agrees with Senator Montigny’s point about extending the Commission. He also noted that assisted living in Massachusetts is a social model—not a medical model. Over the last 10 or 15 years, we have seen an increased level in complexity and acuity in the people we are taking care of in assisted living in Massachusetts. The ALR buildings are not necessarily designed for the medical model. If you look at the construction regulations for ALRs compared to a skilled nursing facility or a hospital, they are much different because of the care that is expected to be provided at those buildings. As a Commission, we need to understand what the upper limit is, what is acceptable preparing for assisted living as a framework for how we start to talk about emergency procedures and all of these things. The level of complexity of the Residents that you are taking care of will change how you respond in disasters. What is the upper limit of who we should be taking care of--from medical needs and medical complexity in a social environment. This needs to be clearer.

Rose-Marie Cervone noted that she does not know what a good legislative recommendation would look like, but one of the things that she thinks we should strive for as a Commission is to provide some smart goals—specific, measurable, achievable, relevant and time bound—so that our recommendations are very actionable. One of her concerns on the Commission is the number of ALR representatives versus the number of outside representatives. As one of the two consumer members, there were supposed to be 3 consumer members, but there are just 2 consumer members—we might want to bring in another consumer member who has some expertise in fire safety and some type of safety recommendations, or a safety background. To the extent we can have specific and measurable goals, she thinks that would provide tremendous value to the Residents in ALRs in Massachusetts.

Lindsay Mitnik wants to support what Rose-Marie just said. She feels that the consumer voice has been lacking. She’s not sure anyone would be up for it, but if any of the consumers involved in the recent tragedy are willing or able to speak on their experience, she thinks it would be important to hear their voice. She also wants to second Representative Stanley’s comments with regard to affordable residences. Across every board, affordable versions of housing and medical facilities are not given the same level of attention—this is a systemic issue. This is our opportunity to view that and to make sure that just because something is more affordable does not mean that it is not at the same level of regulation, care, oversight, quality as less affordable options.

Secretary Lipson noted that we have the ability to bring in experts. We could bring in a panel of consumers or a panel of public safety experts. We can do this without having to change the composition of the Commission.

Lainey Titus Samant agrees with Jennifer Benson on the need to put things in a way that the Legislature could take action. We should also evaluate what things can be done by the Executive Office of Aging & Independence—and not require that it go through the Legislature. The legislative process is usually slower. We should look at what can be done by executive action instead of waiting for the legislative process.

Secretary Lipson noted that there are two sets of regulations that will be going through the promulgation process shortly. One set of regulations will be put out by AGE and involves Basic Health Services. The other set of regulations involves consumer protections and will be put out by the Attorney General’s Office.

Elissa Sherman stated that she would support extending the work of the Commission and the timing of the final report. She also wants to remind everyone that AGE does have the Assisted Living Advisory Council (ALAC) that is established to make recommendations on assisted living regulations. ALAC does have strong participation from consumers—all who have been appointed by the Governor. We may want to take a look at what that body should be addressing. ALAC is an ongoing group—what can be done to strengthen that body, if necessary. ALAC is another appropriate place to consider some of these areas that may need a little bit more work and time to consider recommendations.

Secretary Lipson added that ALAC meets four times a year as required by statute. ALAC is chaired by someone who does not oversee the certification of ALRs—it is chaired by AGE’s Assistant Secretary, Jodi Breidel.

Kathleen Lynch Moncata stated that as a consumer representative, she fully supports extending the deadline, involving people who have expertise in emergencies—not only fire and smoke, but also with floods. She was surprised to learn that as of 2023, not all facilities have back-up generators if there is a loss of power. We could broaden the scope to include those types of concerns and bring in people who can talk to that. As for ALAC, her understanding is that it is advisory only—it does not have the clout or the publicity. ALAC is under the radar, but she fully supports looking at the whole picture—we cannot ignore what happened in Fall River.

Senator Montigny agrees with Matt Salmon. A lot of people are trying to avoid nursing homes, they need the care and there are a lot of medical issues—we have not kept up to that. He agrees that the report should be very specific. The report should have conclusions that can be worked on immediately by the executive branch and legislative recommendations. The report should not be wishy-washy. The bottom line is we have not kept up with what is happening with an aging population.

Senator Montigny made a motion that the Commission extend its work beyond the August 1st deadline for not less than 90 days to address at a minimum emergency safety standards and preparedness of Assisted Living Residences, by requesting testimony and other forms of information from emergency preparedness and public safety professionals. Secretary Lipson noted that the gist was that we want individuals with expertise informing us.

Senator Montigny added that we should try to get this entered into the supplemental budget in conference—that would be the only quick vehicle to get this done. Secretary Lipson noted that what is important here is that we capture that there is consensus to extend our work for roughly 90 days.

Senator Montigny added that it must be a minimum of 90 days and that we bring in safety experts and others. At the end of the day, he wants to see a conclusive report with very specific recommendations.

The motion was seconded. A roll call vote was taken. *See* Vote I in Chart above. The motion was approved. Secretary Lipson noted that we will share that with our staff colleagues across the street who are trying to figure out what the vehicle is and how we do that. She noted that we should assume that we will continue our work and we will come back to the details. We should assume we will need several more meetings on the calendar. She asked that Commission members give some thought on how these future meetings should be conducted. She is hearing that one meeting should address public safety and the meeting should include public safety experts. She has also heard that people might be interested in visiting a property that focuses on serving lower income Residents.

Whitney Moyer discussed the changes that were made to the ALR Commission’s draft report after last week’s Commission’s meeting. *See* [Redlined Draft ALR Commission Report with comments.](https://www.mass.gov/doc/redlined-with-comments-alr-commission-draft-report-v2/download)  The changes were made in response to the comments that were made at last week’s Commission meeting as well as the Commission members’ written comments that were submitted. Ms. Moyer noted that the Commission’s charge did not call out looking at affordability or affordable ALRs, but we recognized the importance of talking about financing and affordability.

Ms. Moyer noted that the 5 key findings were reordered. Ms. Moyer discussed the edits that are shown in red. *See* Slide 9. Senator Jehlen recommended that we state when this uniform disclosure is available. Also, we should note where the uniform disclosure can be found on AGE’s website. When people make their initial inquiries into ALRs, they need to be aware of these uniform disclosure forms.

Kathleen Lynch Moncata suggested that we may want to include more than what is included in the Minnesota uniform disclosure form. We may want to include an indication of the price increase over time—maybe going back three or five years. For example, maybe every year prices go up 5%. It is hard to plan down the road when things are going up and up and more care may be provided.

Dr. Jennifer Maynard echoed what she is seeing in the chat where folks are recommending smart goals around these recommendations. Where possible, if we can note if the recommendation is something AGE is going to implement—so we are not relying on the timeline of the Legislature. An anticipated timeline for when such things could be developed and disseminated would be helpful. Others on the Commission better understand how long it would take for the industry to uptick those—when these things can actually go live for consumers’ safety.

Rose-Marie Cervone asked if AGE will require some additional financial support to implement the proposed recommendations. We might need to ask the Legislature for this additional financial support. For example, creating a new website is expensive.

The second finding and the edits that were made to this finding were discussed. *See* Slide 10. Dr. Jessica Zeidman stated that the list of examples to be included in the standardized assessment is just a list and is not meant to be comprehensive. Including mobility and transfer needs in the standardized assessment would be helpful. We should also look at healthcare models for life safety and emergency preparedness to consider.

There was a question whether Commission members were going to be able to make comments on the changes that were made to the draft report. Ms. Moyer confirmed that comments would be accepted.

The edits made to Finding # 3 and the corresponding recommendations were discussed. See Slide 11. Ms. Moyer noted that the following language was added: “Assess Standards for Appropriate Staffing Based on Resident Needs. Building on Finding #2 and leveraging information gathered through Uniform Disclosure Forms, AGE should assess and study best standards for determining appropriate or baseline staffing levels based on resident acuity and population. This includes evaluating the feasibility and value of a standardized staffing assessment tool or other validated mechanisms. AGE should also examine best practices across residential and institutional care models, in consultation with staffing and aging services experts, to inform future guidance and potential regulatory updates.”

Secretary Lipson noted that people need time to read the draft report at their own pace. She recommended that Ms. Moyer give an overview of where changes have been made with the remaining time. Ms. Moyer discussed the redlined edits made to Finding # 4 and the corresponding recommendations. *See* Slide 12.

Ms. Moyer also discussed the edits and additions made to Finding # 5 and the corresponding recommendations. Finding # 5 and the corresponding recommendations address affordable access to ALRs. *See* Slides 13 and 14. One addition was that there be an interagency and expert task force established to focus on affordable assisted living. The Task Force should be charged with:

* Creating a definition of “affordable” ALR and an inventory of all affordable ALRs in the Commonwealth
* Understanding and providing recommendations regarding the housing and services financing model for each existing affordable ALR, and a model for future affordable ALRs (e.g., levers within SCO and PACE programs, as well as Group Adult Foster Care; waiver options; intersections with the Long-Term Services & Supports Feasibility Study, etc.)
* Identifying any additional oversight or regulation needed
* Consult with external stakeholders as needed to achieve the above goals.

Senator Jehlen noted that in Finding # 5 she does not see a reflection of Pete Tiernan’s request that we look at GAFC rates. She believes that we should look at whether the GAFC rates are adequate—by $50 a day. She added that one assisted living that she had in her district for many years that used GAFC stopped providing it. The director said you cannot provide adequate assisted living at the GAFC rates. She wants to really consider how those programs work, including the rates.

Senator Jehlen added that she wants to be clear that she meant to include SCOs and PACE rates. Secretary Lipson mentioned that she want to be able to publish a report with some recommendations that will do good soon—and not hold a process or expand a scope to necessarily take time to figure out some of the more complex aspects of this environment—such as the confluence of MassHealth programs, MassHealth rates, some of the federal authority and how that is changing. We may want to be open to having initial conversations about this and then recommending that the work continue by a task force or by a committee. She could see us spending a very long time working through some of the issues that are being raised. She does not want to compromise the Committee’s ability to move forward on some of the very immediate concerns that we are hearing as a result of what happened last week.

Senator Jehlen stated that she thinks the fire changed what we need to do. She believes strongly that the low rates for affordable assisted living contributed—she thought one of the recommendations was to have a task force on affordable assisted living. Can that task force have as part of its charge to look at the adequacy of the budget? Secretary Lipson noted that she thinks it is reasonable to include elements of that in this charge.

Senator Montigny noted that the mission of the Commission is very broad. He feels strongly that the only good thing that can come out of this tragedy is that the mission is not only broadened because of that, but the urgency is different. He doesn’t think you can get into any of these issues without addressing affordability.

Secretary Lipson noted that the report is in draft form and will continue to change. One suggestion was having a session with experts on public safety, MassMAP, emergency response, and life safety. The second suggestion for a meeting is around the issue of affordability and models for affordable ALRs and the need to define it.

A motion to adjourn was made and seconded. *See* Vote II in Chart above. The meeting was adjourned at 12:01 P.M.

**Meeting Materials**

1. Redlined Draft ALR Commission Report: [Redlined Draft ALR Commission Report](https://www.mass.gov/doc/redlined-alr-commission-draft-reportv2/download)
2. Redlined Draft ALR Commission Report with comments: [Redlined Draft ALR Commission Report with comments](https://www.mass.gov/doc/redlined-with-comments-alr-commission-draft-report-v2/download)