



*The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY
REGARDING THE INCLUSION OF CONTINUING CARE RETIREMENT
COMMUNITIES AS AN ON-PREMISES LICENSE TYPE PER M.G.L c.138, §12**

The legislature has amended M.G.L. c. 138, §12 to include Continuing Care Retirement Communities as an on-premises license type, effective April 2, 2015. A “continuing care retirement community” is a facility which provides continuing care to residents as defined by M.G.L. c. 93, §76,¹ and has a certified assisted living residence pursuant to M.G.L. c. 19D.²

Continuing Care Retirement Community Licenses are subject to the quota, as set forth in M.G.L. c. 138, §17. This license type will follow the current licensing process for all retail applications. The supporting documents required for this license type remain the same as for all on-premises applications. The application forms have been updated on the ABCC website to include the Continuing Care Retirement Community License type and can be found at: www.mass.gov/abcc/pdf/forms.

Once a Continuing Care Retirement License is approved by both the Local Licensing Authorities and the Alcoholic Beverages Control Commission, and the Local Licensing Authority has issued said license, the licensee is authorized to make sales of alcoholic beverages to residents or guests of residents to be drunk on the premises, in rooms, in the dining rooms, and in such other public rooms or areas of buildings appurtenant and contiguous to and in conjunction with the continuing care retirement community. As with all on-premises license applications, the Local Licensing Authorities must authorize, in writing, the sales and locations of sales within the premises, as they deem reasonable and proper.

As a reminder, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts, and that sales of alcoholic beverages take place only as authorized by applicable law. Questions concerning this advisory can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at 617-727-3040 x 731.

(Issued: February 25, 2015)

¹ “Continuing care”, the furnishing to an individual, other than an individual related by consanguinity or affinity to the person furnishing such care, of board and lodging together with nursing services, medical services or other health related services, regardless of whether or not the lodging and services are provided at the same location, pursuant to a contract effective for the life of the individual or for a period in excess of one year.

² “Assisted living residence” or “Residence”, any entity, however organized, whether conducted for profit or not for profit, which meets all of the following criteria: **1.** provides room and board; and **2.** provides, directly by employees of the entity or through arrangements with another organization which the entity may or may not control or own, assistance with activities of daily living for three or more adult residents who are not related by consanguinity or affinity to their care provider; and **3.** collects payments or third party reimbursements from or on behalf of residents to pay for the provision of assistance with the activities of daily living or arranges for the same.