

Assisted Living Certification Unit

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Instructions for Filing an Assisted Living Residence Complaint

The Executive Office of Aging & Independence is the regulatory agency responsible for the oversight and certification of Assisted Living Residences (ALRs) in Massachusetts. Please read the following instructions before submitting your complaint.

You may use this form to submit a complaint regarding concerns for health, safety and welfare of residents. Examples include, but are not limited to, issues with medication management and assistance; abuse, neglect or financial exploitation; mistreatment of residents; failure to provide services; concerns regarding insufficient staffing levels.

It is optimal to submit complaints as soon as possible and ideally while the Resident is still residing at the ALR. The Agency is generally unable to inquire about complaints regarding matters which occurred more than 6-12 months ago. Due to the frequency of staff and management turnover, it is difficult to follow up on complaints regarding past issues or when the Resident no longer resides in the ALR.

We encourage you to first address your concerns with the ALR management directly, prior to submitting a formal complaint to the Agency. The ALR is required to have a process for addressing grievances and ALR management staff should be able to direct you regarding this procedure. The Agency will assume that the submission of a complaint indicates you have exhausted all of the grievance procedures afforded by the ALR management.

Limitations

The Agency cannot address issues regarding customer service; billing and fee disputes; personality conflicts; individual preferences; and quality of amenities. If you are a current resident of an ALR, the Long-Term Care Ombudsman is the best

resource for advocacy regarding these matters. The Ombudsman can be reached by calling 617-222-7495.

The Agency cannot address issues regarding healthcare services received by outside healthcare providers (such as hospice or VNA); care received at a rehabilitation center, Skilled Nursing Facility (SNF), or hospital; or pharmacy services. These matters should be directed to the Department of Public Health.

Please include as much information and detail—including specific dates, names and locations—as possible when completing this form. Please attach additional pages if more space is needed. If you wish to remain anonymous, you may leave the section requesting complainant contact information blank; however, the Agency will not be able to contact you if additional information is needed.

The Agency determines the most appropriate response to complaints based on severity and scope. The Agency does not inquire about all complaints, and the timing of an inquiry or contact is determined in a discretionary manner based on immediate threat to health or safety.

Periodically, the ALR regulations are reviewed, during which time there is a period of time afforded for public comment. If you would like to be notified of any upcoming public forums regarding Assisted Living, please complete the complainant contact information section and indicate your response.

The complaint form can be mailed Attention to: ALR Certification Unit, One Ashburton Place, 10th floor, Boston, MA 02108; or emailed to ALRHelp@mass.gov.

Next Steps

Upon receipt of the completed complaint form, the Agency will send a letter acknowledging the submission of a complaint. The complaint will be reviewed by a staff member of the Assisted Living Certification Unit to determine whether the complaint involves a possible violation of the ALR regulations (651 CMR 12.00 et seq.). The Agency may take any of the following actions, depending on circumstances and pervasive nature of the complaint, including: reviewing related information at an upcoming scheduled recertification visit; requesting

information from the ALR for off-site review; monitoring the ALR for additional complaints or concerning incidents; referring the complaint to another agency; filing the complaint as part of public record; conducting a site visit. The Agency oversees ALRs in accordance with the regulations and prioritizes systemic issues concerning the health, safety and welfare of residents.