THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF CONSUMER AFFAIRS
DIVISION OF INSURANCE
470 ATLANTIC AVENUE
BOSTON, MA 02210-2223
(617) 521-7794
TTY/TDD (617) 521-7490

PRISCILLA H. DOUGLAS
SECRETARY
LINDA RUTHARDT
COMMISSIONER

Bulletin No. 95-07

To: **Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts (BCBSMA), and Health Maintenance Organizations (HMOs)**

From: Commissioner Linda Ruthardt

RE: **Coverage for Assisted Living Residences in Long-Term Care Insurance**

Date: **August 16, 1995**

Historically, the Division has not approved benefits for Assisted Living Residences in individual long-term care insurance policies which are approved pursuant to 211 CMR 65.00 because Assisted Living Residences were not licensed or certified by any state agency. In acknowledgment of the passage of St. 1994, c. 354 and the promulgation of 651 CMR 12.00, the Division will review benefits for Assisted Living Residences which are included in individual long-term care insurance policies. The benefits will be reviewed according to the definitions included in St. 1994, c. 354 and 651 CMR 12.00.

St. 1994, c. 354 amends the General Laws by adding, among other sections, M.G.L. c. 19D, an Act authorizing the Executive Office of Elder Affairs to certify suitable applicants to operate Assisted Living Residences. The Executive Office of Elder Affairs promulgated 651 CMR 12.00, effective June 1, 1995, in order to implement M.G.L. c. 19D. The regulations set forth the certification and suitability requirements for applicants and sponsors of Assisted Living Residences and set forth the standards for the premises of Assisted Living Residences. Questions regarding the Assisted Living Residence law and regulations can be directed to Pamela Dashiell, Esquire, at the Executive Office of Elder Affairs at (617) 727-7750.

The Executive Office of Elder Affairs will begin to certify such residences on or after June 1, 1995. Therefore, benefits for those residences can be included in individual long-term care insurance policies as of that date.

Questions regarding the inclusion of coverage for Assisted Living Residences in individual long-term care insurance policies can be directed to the Division of Insurance's Health Policy Unit at (617) 521-7349.