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Circular Letter: DHCQ 19-11-693

To: Rest Home Administrators

From: Elizabeth Kelley, MBA, MPH, Bureau Director
Bureau of Health Care Safety and Quality

Date: November 4, 2019

Subject: Clarification of the Meaning of “Ambulatory” in 105 CMR 150.000, *Standards for Long-Term Care Facilities*

The Department of Public Health (Department) has received several questions about the Department’s addition of the term “ambulatory”, as it relates to residents, to the definition of “Resident Care Facilities (Level IV) or Rest Home” within 105 CMR 150.000, *Standards for Long Term Care Facilities*, as recently amended¹. The purpose of this letter is to provide clarification of the meaning of “ambulatory” as it is used in certain sections of 105 CMR 150.000.

The word “ambulatory” first appeared in the definition of “rest home” in a 1963 amendment to M.G.L. chapter 111 §71. During the recent amendment process, the Department added “ambulatory” to the definition of rest home to align the wording of the regulation with the statute. **The addition of “ambulatory” to this definition in the regulation does not change the interpretation or meaning of “rest home”.**

As used in 105 CMR 150.001 in the definitions of “Resident Care Facilities (Level IV) or Rest Home” and “Long-Term Care Facility (LTCF),” and within 150.007(G)(5)(m), “ambulatory” refers to a resident who is able to move from place to place without help or with minimal assistance from another person. For example, a resident who is able, without help or with minimal assistance from another person, to get into his or her wheelchair and propel the wheelchair or who uses a cane or walker to get from place to place is ambulatory for purposes of the sections of 105 CMR 150.000 referenced in the previous sentence.

Should you have questions related to this guidance, please contact the Division’s Licensure Unit Inspections Manager at 617-753-8184.

¹ Recent amendments to this regulation took effect March 23, 2018