

HOUSE No. 726

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balsler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act ensuring access to PPE for eldercare providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/17/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/23/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/24/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/24/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>2/26/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>3/5/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/5/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/8/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/8/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/16/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>3/19/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/26/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>3/26/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/29/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>4/1/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/7/2021</i>

HOUSE No. 726

By Ms. Balsler of Newton, a petition (accompanied by bill, House, No. 726) of Ruth B. Balsler and others that the Department of Public Health establish an exchange to facilitate the purchasing of personal protective equipment by elder care providers. Elder Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act ensuring access to PPE for eldercare providers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Massachusetts General Law Chapter 111 is hereby amended by inserting at
2 the end the following new section:

3 Section 238. The Department of Public Health shall establish and maintain a virtual
4 marketplace known as the “PPE Exchange” for the purpose of enabling eligible elder care
5 providers to obtain personal protective equipment at competitive prices.

6 “Eligible elder care providers” shall include, but not be limited to, convalescent homes,
7 nursing homes, skilled nursing facilities, intermediate care facilities, rest homes, or charitable
8 homes for the aged licensed under the provisions of section 71 of chapter 111 of the General
9 Laws, and assisted living residences and home care agencies.

10 The Department shall identify and solicit the participation of manufacturers, wholesalers,
11 and suppliers in the PPE Exchange, ensure that the personal protective equipment offered on the
12 Exchange complies with all federal and state requirements and specifications, and establish a

13 process for negotiating competitive prices for PPE, including the ability for eligible elder care
14 providers to aggregate PPE orders.

15 All sales that occur as a result of the Exchange shall be considered private transactions
16 and the Department shall have no responsibility to process sales or deliver the personal
17 protective equipment.

18 SECTION 2: The Department of Public Health shall establish the PPE Exchange within
19 90 days of enactment.

20 SECTION 3: Notwithstanding any general or special law to the contrary, the Executive
21 Office of Health and Human Services shall establish a special rate add-on to recognize the
22 MassHealth share of personal protective equipment cost used to care for MassHealth
23 beneficiaries.