

**SENATE . . . . . No. 285**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Gale D. Candaras***

*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 passage of the accompanying bill:

An Act creating a special commission on institutional long term care services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>James T. Welch</i>	<i>Hampden</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>

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By Ms. Candaras, a petition (accompanied by bill, Senate, No. 285) of Gale D. Candaras, Denise Andrews, Christine E. Canavan, Sal N. DiDomenico and other members of the General Court for legislation that provisions be made to create a special commission on institutional long term care services. Elder Affairs.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ SENATE  
□ , NO. 267 OF 2011-2012.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act creating a special commission on institutional long term care services.

*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. Notwithstanding any general or special laws to the contrary, there  
2 shall be established a Special Commission on Institutional Long Term Care. This Commission  
3 shall evaluate options and prepare policy recommendations necessary to address excess skilled  
4 nursing home bed inventory, to reform the skilled nursing home licensing and de-licensing  
5 processes, and to establish more rational processes for the closure of skilled nursing homes.  
6 Such recommendations shall include policy options concerning the following:

7 Potential savings to the Commonwealth and improvements to care delivery that could be  
8 realized by reducing the number of skilled nursing facility beds;

9 Criteria to be used to determine which beds should be de-licensed, including but not  
10 limited to quality care standards and measures of regional geographic need;

11 Potential incentives for skilled nursing home operators that would help to reduce the  
12 number of skilled nursing facility beds and/or would facilitate conversion of under-utilized beds  
13 to other uses;

14 Improvements to the MassHealth reimbursement system for skilled nursing facilities; and  
15 Any other recommendations as needed to more effectively utilize institutional long term  
16 care facilities in the Commonwealth.

17 SECTION 2. The Commission shall consist of 15 members, 1 of whom shall be the  
18 secretary of health and human services or a designee, 1 of whom shall be the secretary of elder  
19 affairs or a designee, 1 of whom shall be the director of the office of Medicaid or a designee, 1 of  
20 whom shall be the Attorney General or a designee, 1 of whom shall be the State Auditor or a  
21 designee, 1 of whom shall be the house chair of the joint committee on elder affairs or a  
22 designee, 1 of whom shall be the senate chair of the joint committee on elder affairs or a  
23 designee, 1 of whom shall be the senate chair of the joint committee on health care financing or a  
24 designee, 1 of whom shall be the house chair of the joint committee on health care financing or a  
25 designee, 1 of whom shall be a member of the PCA quality home care workforce council, and 5  
26 persons to be appointed by the governor, 1 of whom shall be a representative of the Department  
27 of Public Health, 1 of whom shall be a representative of 1199SEIU, 1 of whom shall be a  
28 representative of the Massachusetts Senior Care Association, 1 of whom shall be a representative  
29 of AARP, and 1 of whom shall be a representative of the Massachusetts Alzheimer's  
30 Association.

31 SECTION 3. The Commission shall meet within 60 days of passage of this Act, and not  
32 less than quarterly thereafter, and shall release final recommendations to the Senate President,  
33 the Speaker of the House, the Joint Committee on Elder Affairs and the Health Planning Council  
34 no later than one year from passage of this Act.