

**SENATE . . . . . No. 738**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Julian Cyr*

*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 relative to the nursing home quality jobs initiative.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Julian Cyr</i>	<i>Cape and Islands</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/7/2023</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/28/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/7/2023</i>

**SENATE . . . . . No. 738**

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By Mr. Cyr, a petition (accompanied by bill, Senate, No. 738) of Julian Cyr, Paul W. Mark, Mathew J. Muratore and Angelo J. Puppolo, Jr. for legislation relative to the nursing home quality jobs initiative. Health Care Financing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 759 OF 2021-2022.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act relative to the nursing home quality jobs initiative.

*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. Chapter 118E of the General Laws, as appearing in the 2020 official edition  
2 is hereby amended by inserting at the end thereof the following new section:-

3 Section 80. For the purpose of ensuring a living wage for nursing facility direct care staff,  
4 MassHealth shall enact regulations regarding standard payments from MassHealth to nursing  
5 facilities that establish a living wage for direct care staff of licensed nursing homes, including,  
6 but not limited to, certified nurse aides, and housekeeping, laundry, dietary, plant operations,  
7 activities, behavioral, security and clerical staff. Such regulations shall ensure that such standard  
8 payments shall reimburse nursing facilities for the costs of paying a living wage, associated  
9 payroll benefits and related employee costs. Provided further that MassHealth shall, subject to  
10 appropriation, adjust such payments for all direct care staff with an inflation adjustment

11 consistent with the annual unadjusted Skilled Nursing Facility Market Basket Update, as  
12 established by the Centers for Medicare & Medicaid Services in 42 C.F.R. § 413.337. For the  
13 purposes of this adjustment, direct care staff shall include the staff recognized in the MassHealth  
14 Direct Care Cost-Quotient calculation. MassHealth shall adopt all additional regulations and  
15 procedures necessary to carry out this section, provided, that such regulations shall include  
16 permissible use standards mandating that facilities shall expend these supplemental payments  
17 exclusively on direct care staff expenses, which shall be further defined in such regulations but  
18 that shall not include spending on temporary nursing staff, management staff or nursing facility  
19 administrators. Such additional regulations and procedures shall include: (i) mandated facility  
20 interim reporting to the executive office of health and human services on the ways in which the  
21 facility expects to spend; and (ii) mandated facility final reporting on the expenditure of  
22 payments received under this section, including audits and provisions that reconcile such  
23 expenditure reporting with the Direct Care Cost-Quotient calculation. MassHealth shall submit to  
24 the house and senate committees on ways and means a report containing an analysis of funds  
25 expended under this program.

26 SECTION 2. Chapter 23 of the General Laws, as appearing in the 2020 Official Edition,  
27 is hereby amended by inserting after section 9U the following 2 sections:-

28 Section 9V. The Executive Office of Labor and Workforce Development, through the  
29 Commonwealth Corporation, shall establish a grant program for nursing facility supervisory and  
30 leadership training. The program shall include, but not be limited to, covering the cost of nursing  
31 facility employee participation in evidence-based supervisory training for the express purpose of  
32 building supervisory skill and competency in improving staff satisfaction, retaining staff and  
33 reducing turnover.

34           Section 9W. The Executive Office of Labor and Workforce Development shall, subject to  
35 appropriation, establish a Certified Nursing Assistant to Licensed Practical Nurse Career Ladder  
36 grant program to be administered by the Massachusetts Commonwealth Corporation, in  
37 consultation with, but not limited to, the Massachusetts Senior Care Association, Social Finance  
38 and practical nursing training providers for the express purpose of establishing a career  
39 advancement pathway to enable certified nursing assistants to enroll in licensed practical nursing  
40 programs at local community colleges, technical high schools or other accredited programs. The  
41 Commonwealth Corporation shall establish criteria for awarding regional collaborative grants  
42 that shall fund the full cost of tuition, fees and curriculum materials, as well as paying staff  
43 wages to attend classes to secure their practical nursing certificate and may include stipends for  
44 childcare, transportation, English as a second language classes and other costs the Corporation  
45 deems necessary to ensure the success of the program; and provided further that these grants can  
46 be expended over a three-year period.

47           SECTION 3. Chapter 111 of the General Laws, as so appearing, is hereby amended by  
48 inserting after section 4O the following section:-

49           Section 4P. The Executive Office of Labor and Workforce Development shall, subject to  
50 appropriation, establish a Resident Care Assistant to Certified Nursing Assistant career ladder  
51 grant program to be administered by the Massachusetts Commonwealth Corporation. The grant  
52 shall fund the full costs of certified nursing assistant training and competency testing, as well  
53 paying staff wages to attend certified nursing assistant training, and may include stipends for  
54 childcare, transportation, and English as a second language classes provided that: (i) the tuition is  
55 for an approved certified nursing assistant training program; and (ii) individuals have begun  
56 employment as a resident care assistant in a licensed nursing facility and complete the approved

57 certified nursing assistant training program within 90 days of employment as a resident care  
58 assistant; and (iii) individuals take the required nurse aid certification exam within 30 days of  
59 completing the approved nurse aide training program.