
By Mr. Backman, a petition (accompanied by bill, Senate, No. 470) of Jack H. Backman, and John F. Cusack for legislation to require the use of certain federal funds for the training of home care service personnel. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-eight.

AN ACT REQUIRING THE USE OF CERTAIN FEDERAL FUNDS FOR
THE TRAINING OF HOME CARE SERVICE PERSONNEL.

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. Statement of legislative finding and purposes:

2 a. It is hereby found that the continued and expanded pro-
3 vision of home care services to elderly persons of the common-
4 wealth is essential to the health, safety and well-being of our
5 elderly population, and

6 b. It is hereby further found that Title XX of the Social
7 Security Act provides for federal reimbursement of state
8 expenditures made for the provision of social services and for
9 the training of social service personnel. Such reimbursement
10 for social services expenditures is available to states at a rate
11 of 75% up to a maximum amount as established Section
12 1397 a (2) (A) of said act. Such reimbursement for the train-
13 ing of social service personnel is available to states outside
14 said maximum at the same rate.

15 c. It is, however, further found that the department of
16 elder affairs has not taken advantage of the unlimited 75%
17 federal reimbursement available to the commonwealth for its
18 expenditures incurred for the training of home care services
19 personnel, but is instead using those limited federal funds
20 customarily available for social services to fund the cost of
21 training.

22 d. It is the intent of this legislation to mandate that the
23 department of elder affairs comply with all the provisions of
24 42 U.S.C. Section 1397-1397 (f.) in order to ensure that the

25 commonwealth is receiving the full benefit of available federal
26 funds and to further insure that the limited social services
27 funds available to the commonwealth are not depleted by
28 using such funds for the cost of training.

1 SECTION 2. Section 4 of chapter 19A of the General Laws
2 as inserted by section 15 of chapter 1168 of the acts of 1973
3 is hereby amended by adding at the end thereof the following
4 paragraphs: —

5 The department shall take all necessary steps to utilize any
6 funds made available for the purpose of training of personnel
7 pursuant to the provisions of 42 U.S.C. section 1397-1397 (f.).
8 For the purposes of this section, home care program person-
9 nel shall include departmental employees whose positions
10 directly relate to the operation of the home care program,
11 and service delivery and eligibility determination personnel
12 employed by home care providers under contract with the
13 department.

14 When the secretary submits a budget request to the secre-
15 tary of administration and finance, the secretary of elder
16 affairs, shall include with said request, documentation out-
17 lining all sources and amounts of federal funding available to
18 the commonwealth for home care services and indicating the
19 extent to which said available federal funds are being utilized.
20 If said available funds are not being fully utilized, the secre-
21 tary shall indicate the reasons for such under-utilization.