

# HOUSE . . . . No. 1869

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Substituted by the House, on motion of Mrs. Cutler of Needham, for a bill with the same title (House, No. 864, amended). June 9.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Three.

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### AN ACT PROVIDING FOR THE LICENSING OF CONVALESCENT HOMES AND NURSING HOMES.

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

1 Chapter one hundred and twenty-one of the General  
2 Laws is hereby amended by inserting after section  
3 twenty-two A, as appearing in the Tercentenary  
4 Edition, under the heading CONVALESCENT HOMES  
5 AND NURSING HOMES, the following new section:—  
6 *Section 22B.* The department may license any  
7 suitable person to maintain a convalescent home or a  
8 nursing home, may prescribe the conditions under  
9 which such a license may be granted and may make,  
10 and from time to time alter and amend, rules and  
11 regulations for the government of such homes. No  
12 application for a license for such a home shall be  
13 acted upon unless and until it has been referred to and  
14 approved by the board of health of the city or town  
15 where such home is to be maintained. Every license  
16 granted under authority of this section shall be for

17 the term of two years, but may be revoked by the  
18 department at any time for cause. The fee for each  
19 such license shall be five dollars. Upon the granting  
20 of a license for such a home in any city or town, the  
21 department shall give notice thereof and of the terms  
22 of such license to the board of health of such city or  
23 town. The board of health of any city or town where  
24 such a home is maintained and also the department  
25 shall annually, and may at any time, visit and inspect  
26 such home. Any person who maintains a convalescent  
27 home or a nursing home, as hereinafter defined,  
28 without holding a license under this section or who  
29 violates any provision of any rule or regulation made  
30 hereunder shall be punished by a fine of not more  
31 than five hundred dollars or by imprisonment for  
32 not more than one year, or both. Violation of any  
33 provision of such a rule or regulation by the holder  
34 of a license under this section shall also be cause for  
35 the revocation of the license.

36 Whoever maintains a home in which three or more  
37 persons in the chronic sick class, so called, or recover-  
38 ing from illness, and not members of his immediate  
39 family are, for hire, gain or reward by contract or  
40 otherwise, provided with convalescent or nursing  
41 care shall be deemed to maintain a convalescent home  
42 or a nursing home for the purposes of this section;  
43 provided, that the foregoing shall not include a home  
44 required to be licensed under section twenty-two A,  
45 or a home or institution maintained exclusively by  
46 any charitable corporation duly incorporated under  
47 the laws of the commonwealth or any convalescent or  
48 nursing home maintained for the purpose of providing  
49 treatment by prayer or spiritual means according to  
50 the religious tenets of Christian Science.