
To accompany the petition of Bernard L. Sullivan for a further definition of the scope of the words "resources of the aged person" in the old age assistance law, so called. Pensions.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Eight.

AN ACT FURTHER DEFINING THE SCOPE OF THE WORDS
"RESOURCES OF THE AGED PERSON" IN THE OLD AGE
ASSISTANCE LAW, SO CALLED.

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 two of chapter one hundred and eight-
2 een A of the General Laws, as most recently amended
3 by section two of chapter four hundred and forty of
4 the acts of nineteen hundred and thirty-seven, is
5 hereby further amended by inserting after the word
6 "department" in the eleventh line the following
7 sentence:— For the purposes of this section, the word
8 "resources" shall not be deemed to mean or to include
9 the assets or financial ability of any descendant of the
10 aged person, — so as to read as follows:— *Section 2.*
11 Each board of public welfare shall, for the purpose of
12 granting adequate assistance and service to such aged
13 persons, establish a division thereof to be designated
14 as the bureau of old age assistance. In determining
15 the need for financial assistance, said bureaus shall
16 give consideration to the resources of the aged person,
17 but no action shall be brought under sections twenty

18 to twenty-two, inclusive, of chapter two hundred and
19 seventy-three by a board of public welfare in connec-
20 tion with the granting of assistance under this chapter
21 except with the written approval of the department.
22 For the purposes of this section, the word "resources"
23 shall not be deemed to mean or to include the assets or
24 financial ability of any descendant of the aged person.
25 Not later than fourteen days from the initial payment
26 to applicants, notice on a form prescribed by the
27 department shall be forwarded to the appeal board
28 hereinafter provided for, stating in each case any and
29 all deductions from the amounts of assistance pre-
30 scribed herein and the reasons for all such deductions.
31 If said deductions in a particular case are not approved
32 by said appeal board they shall not be made in sub-
33 sequent payments in said case and the amount of
34 deductions made in such initial payment shall be
35 added to the amount of the next succeeding payment.
36 In determining the amounts of assistance to be paid
37 under this chapter, local boards of public welfare shall
38 determine that all applicants eligible for such assist-
39 ance shall receive such assistance in the amounts
40 prescribed herein or in amounts which would bring
41 said applicants' total income to the equivalent of
42 such amounts. Separate records of all such aged
43 persons who are assisted shall be kept and reports
44 returned in the manner prescribed by section thirty-
45 four of chapter forty-one and by sections thirty-two
46 and thirty-three of chapter one hundred and seven-
47 teen. The department shall make an annual report
48 to the general court, and also such reports to the social
49 security board established under the federal social
50 security act, approved August fourteenth, nineteen
51 hundred and thirty-five, as may be necessary to secure
52 to the commonwealth the benefits of said act.