

**SENATE . . . . . No. 1017**

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**The Commonwealth of Massachusetts**

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SENATE, September 19, 1963.

The committee on Public Welfare, to whom was referred the residue of the second interim report of the special commission established (under the provisions of chapter 138 of the resolves of 1962 and most recently continued under the provisions of chapter 123 of the resolves of 1963) to study convalescent or nursing homes and to the standards and costs thereof (Senate, No. 970), report the accompanying Bill (Senate, No. 1017).

For the committee,

JAMES F. BURKE.

## The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT EACH DAY OF VIOLATION BY A CONVALESCENT OR NURSING HOME OF CERTAIN RULES AND REGULATIONS OF THE DEPARTMENT OF PUBLIC HEALTH CONSTITUTE A SEPARATE OFFENSE.

*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 73 of chapter 111 of the General Laws is hereby  
2 amended by striking out the first sentence, as most recently  
3 amended by section 2 of chapter of the acts of 1963, and  
4 inserting in place thereof the following sentence:— Whoever  
5 establishes or maintains, or is concerned in establishing or  
6 maintaining, a hospital, sanatorium, convalescent or nursing  
7 home, infirmary maintained in a town, or rest home or is engaged  
8 in any such business, without a license granted under section  
9 seventy-one, or whoever being licensed under said section vio-  
10 lates any provision of sections seventy-one to seventy-three,  
11 inclusive, shall for a first offense be punished by a fine of not  
12 more than five hundred dollars, and for a subsequent offense by  
13 a fine of not more than one thousand dollars or by imprisonment  
14 for not more than two years. Whoever violates any rule or  
15 regulation made under section seventy-two or seventy-two C  
16 shall be punished by such fine, not to exceed fifty dollars, as the  
17 department may establish. If any person violates any such rule  
18 or regulation by allowing a condition to exist which may be cor-  
19 rected or remedied, the department shall order him in writing to  
20 correct or remedy such condition, and if such person fails or  
21 refuses to comply with such order, he shall be punished by such  
22 fine, not to exceed fifty dollars, for each day during which such  
23 failure or refusal to comply continues.