

HOUSE No. 3052

By Mr. LeBlanc of New Bedford, petition of Alan Chapman that the powers of determining rates to be paid to convalescent and nursing homes be transferred from the Board of Rate Setting to the Director of Hospital Costs and Finances. Pensions and Old Age Assistance.

The Commonwealth of Massachusetts

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

AN ACT TRANSFERRING THE POWERS OF THE BOARD OF RATE SETTING TO DETERMINE THE RATE TO BE PAID TO CONVALESCENT AND NURSING HOMES OR REST HOMES TO THE DIRECTOR OF HOSPITAL COSTS AND FINANCES.

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 7 of the General Laws is hereby amended
2 by striking out section 30L, as most recently amended by sec-
3 tion 1 of chapter 809 of the acts of 1963, and inserting in place
4 thereof the following section: —

5 *Section 30L.* The director of hospital costs and finances shall,
6 after hearing, determine at least as often as annually, the per
7 diem rate or rates to be paid to convalescent or nursing homes
8 and rest homes, as defined in section seventy-one of chapter one
9 hundred and eleven, by the various departments, boards or com-
10 missions of the commonwealth, or by the various subdivisions of
11 the commonwealth receiving reimbursement therefor, in whole
12 or in part, from the commonwealth; and may establish fair and
13 reasonable classification or classifications of such rate or rates.
14 Such rates shall be adequate and reasonable and shall include a
15 fair return on invested capital. The determination of the per
16 diem rate or rates as provided in this section shall be deemed a
17 “regulation” as defined in paragraph (5) of section one of
18 chapter thirty A.

19 Each convalescent or nursing home and rest home shall file
20 with the director, from time to time, on request, such data,
21 statistics, schedules or information as he may reasonably require
22 to enable him to determine the rate or rates. The director shall
23 have the power to examine the books and accounts of any such
24 convalescent or nursing home and rest home, if in his opinion
25 such examination is necessary to determine such rates. Any
26 person conducting such convalescent or nursing home and rest
27 home, who fails to furnish any such data, statistics, schedules or
28 information as requested, or who files fraudulent returns thereof,
29 shall be punished by a fine of not less than one hundred dollars
30 nor more than five hundred dollars. Upon notice from the
31 director, no city or town shall thereafter purchase care in a con-
32 valescent or nursing home or rest home failing to file such data,
33 statistics or information as requested with the director, until
34 such time as the director advises such city or town that his order
35 prohibiting the purchase of such care has been rescinded.

36 If a person conducting a convalescent or nursing home or rest
37 home believes that the rate so established is inadequate, un-
38 reasonable, or does not include a fair return on invested capital
39 in the case of such convalescent or nursing home and rest home
40 in particular, he may, within sixty days after the date such rate
41 was established, file an appeal with the director for a determi-
42 nation of a rate for such convalescent or nursing home or rest
43 home. If the director does not determine a rate for such con-
44 valescent or nursing home or rest home the person conducting
45 said home may file a further appeal for the determination of a
46 rate for such home in accordance with the provisions of section
47 fourteen of chapter thirty A.

1 SECTION 2. Section thirty M of said chapter seven is hereby
2 repealed.

1 SECTION 3. The powers and duties of the board of rate setting
2 relative to the determination of rates to be paid to certain con-
3 valescent or nursing homes and rest homes, as set forth in section
4 thirty L of chapter seven of the General Laws as in effect im-
5 mediately prior to the effective date of this act, are hereby trans-
6 ferred to the director of hospital costs and finances. All books,
7 papers, records, documents and equipment which are in the
8 custody and control of the board of rate setting and which per-

9 tain to convalescent or nursing and rest homes shall, upon the
10 effective date of this act, be transferred to the custody and con-
11 trol of said director of hospital costs and finances.

12 All petitions, hearings and other proceedings pending before,
13 and all prosecutions and other proceedings duly commenced by,
14 the said board of rate setting, as of the effective date of this act,
15 shall be turned over to and completed by said director of hos-
16 pital costs and finances.

17 All orders, rules and regulations duly made by the board of
18 rate setting, relative to nursing or convalescent homes and rest
19 homes, shall remain in full force and effect until superseded, re-
20 vised, rescinded or amended by the said director of hospital costs
21 and finances.

1 SECTION 4. The temporary rate of four dollars and twenty-
2 five cents per diem for rest homes established by the director of
3 hospital costs and finances under the provisions of section one of
4 chapter three hundred and ninety-seven of the acts of nineteen
5 hundred and sixty-three, shall continue until a rate is established
6 under the provisions of section thirty L of chapter seven of the
7 General Laws, as amended by section one of this act.

The first section of the report discusses the general situation of the country and the progress of the war. It mentions the various campaigns and the military operations conducted by the British forces. The second section details the administrative and financial aspects of the war effort, including the management of resources and the impact on the civilian population. The third section provides a summary of the military and administrative achievements, highlighting the successes and challenges faced during the period.

The fourth section of the report focuses on the political and diplomatic relations of the country during the war. It discusses the role of the government in maintaining international peace and stability, as well as the impact of the war on the domestic political scene. The fifth section concludes the report with a final assessment of the overall situation and the prospects for the future. The report is a comprehensive and detailed account of the events and developments of the time, providing valuable insights into the complexities of the war and its aftermath.

The sixth section of the report discusses the social and economic conditions of the country during the war. It examines the impact of the war on the standard of living and the well-being of the population, as well as the measures taken to address these issues. The seventh section provides a detailed analysis of the military and administrative structures, highlighting the strengths and weaknesses of the various organizations involved. The eighth section concludes the report with a final summary and recommendations for the future. The report is a valuable resource for anyone interested in the history of the war and its impact on the country.