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By Mr. Bulger, a petition (accompanied by bill, Senate, No. 478) of William R. Keating and William M. Bulger for legislation to establish a program of foster homes for adults. Human Services and Elderly Affairs.

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## The Commonwealth of Massachusetts

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

### AN ACT ESTABLISHING A PROGRAM OF FOSTER HOMES FOR ADULTS.

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

1 The General Laws are hereby amended by inserting after  
2 chapter 118E the following chapter: —

3 CHAPTER 118F.

4 FOSTER HOMES FOR ADULTS.

5 *Section 1.* As used in this chapter the following words shall  
6 have the following meanings unless the context clearly re-  
7 quires otherwise: —

8 “Department”, the department of public welfare.

9 “Foster home for adults”, a home for adults with a capacity  
10 of not less than two and not more than four residents.

11 “Proprietor”, a responsible person in good health, willing  
12 and capable of providing residents with the required super-  
13 vision, care and services in a foster home for adults.

14 “Resident”, an aged, disabled, infirm or handicapped person  
15 who is not bedfast or in need of continuous medical or skilled  
16 nursing care.

17 *Section 2.* The department shall establish a program of  
18 foster homes for adults for the purpose of providing suitable  
19 care in a home for compensation and profit to two or more  
20 residents who are in such condition by reason of age, disabil-  
21 ity, handicap or infirmity as to require, in addition to lodging  
22 and board, the services of other persons to assure their safety,  
23 comfort, protection, guidance, security and independence.

24 *Section 3.* Persons may be admitted by the department to  
25 the program who are ambulant and do not require nursing

26 supervision or care. No person shall be admitted without a  
27 written or verbal certification by a physician that he is free  
28 from any disease in a communicable state. No person shall be  
29 admitted who is suffering from such degree of mental disease  
30 that he is in danger to himself or others, or whose behavior,  
31 as determined by the department, is socially unacceptable or  
32 disturbing to other persons. No person shall be admitted who  
33 requires a special diet which requires skilled observation of  
34 symptoms and reactions.

35 *Section 4.* A proprietor of a foster home for adults shall be  
36 a responsible person in good health and capable of providing  
37 residents with adequate care and service. A proprietor, or a  
38 responsible designee, shall operate the home at all times. A  
39 proprietor shall not be totally dependent on the income of the  
40 residents for his support or the support of his family.

41 The proprietor and the number of other persons caring for  
42 the needs of the residents shall be adequate and competent to  
43 provide the services required in the home. All such persons  
44 shall be free from any communicable disease in a transmissible  
45 state.

46 *Section 5.* A foster home for adults shall conform to all laws,  
47 ordinances, rules and regulations concerning health, safety  
48 and fire protection. A proprietor of a home shall provide suffi-  
49 cient heat, light and ventilation in occupied sections, shall pro-  
50 vide sufficient space, furniture, appliances and equipment in  
51 bedrooms of residents, and shall provide sufficient bathing fa-  
52 cilities, wash basins and toilets. A proprietor shall establish a  
53 plan to provide for the rapid exit of all residents of a home in  
54 case of fire or emergency, and each person concerned with the  
55 care of residents shall be thoroughly familiar with the plan.  
56 A proprietor shall take every reasonable precaution, including  
57 but not limited to the installation of lights and handrails in  
58 halls and stairways, to avoid accidents. A proprietor shall pro-  
59 vide telephone or other direct connection with the fire depart-  
60 ment. A foster home shall be free from fire hazards. Residents  
61 shall be housed in sections of a home which can be easily va-  
62 cated in case of emergency. A proprietor shall keep the home  
63 in clean and sanitary condition.

64 *Section 6.* A proprietor shall exercise due care to protect



65 the health of residents. Residents who develop any physical  
66 or mental disease or condition shall be transferred to an ap-  
67 propriate facility as determined by a physician after exami-  
68 nation and evaluation. Medical or nursing services shall not be  
69 provided in a foster home for adults.

70 *Section 7.* A proprietor shall serve three well prepared and  
71 nutritionally balanced meals per day. A proprietor shall super-  
72 vise and assist the personal hygiene needs of residents, and  
73 shall assist in personal activities of daily living, as required,  
74 for residents.

75 A proprietor shall provide opportunities for social activities  
76 and recreational diversions in accordance with the interests  
77 and needs of the residents. Residents shall be permitted and  
78 assisted to maintain their place in community life. A pro-  
79 prietor shall make available opportunity within or outside the  
80 home for a resident to pray or participate in religious services  
81 according to his faith, and to visit with clergymen or other re-  
82 ligious leaders.

83 *Section 8.* A proprietor shall keep a record of the name, ad-  
84 dress and telephone number of a relative or close friend, the  
85 personal physician, if any, religious affiliation, if any, and the  
86 name, address and telephone number of a designated clergy-  
87 man of each resident.

88 A proprietor shall keep a record of all accidents involving  
89 a resident and the name of the attending physician.

90 *Section 9.* A proprietor, upon the death or transfer of a resi-  
91 dent, shall notify promptly the relative or close friend named  
92 by the resident and, if such resident is a recipient of public as-  
93 sistance, shall notify the department.

94 *Section 10.* The department shall promulgate rules and reg-  
95 ulations to carry out the provisions of this chapter.

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