SENATE . . . . . No. 1672

The Commonwealth of Massachusetts

SENATE, July 1, 1978.

The committee on Ways and Means, to whom was committed the Senate bill providing for the development of home care services for the elderly (Senate, No. 467), reports recommending that the same ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 1672).

For the Committee,

JAMES A. KELLY, JR.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE DEVELOPMENT OF HOME CARE SERVICES FOR THE ELDERLY.

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

Chapter 19A of the General Laws as most recently amended by c. 1168 of the Acts of 1973 is hereby amended by inserting in section 4 following subsection (O) the following subsection: —

(p) to encourage the formation of planning and service areas which shall mean the distinct multi-county, county, metropolitan, city or town of the State determined by the department for the purposes of planning social services to the elderly.

Chapter 19A of the General Laws as most recently amended by c. 1168 of the Acts of 1973 is further amended by inserting after section 4 the following sections: —

Section 4A. The department shall, after public hearing, establish by regulation formula for the allocation of state and federal funds by the department to planning and services areas for home care services. The formula shall be based upon the number of elderly in each planning and service area and upon such other considerations as may be required by federal law or regulation as a condition for the receipt of federal funds for home care services. The department shall publish annually a listing of the amount of state and federal funds allocated to each planning and service area and to each city and town within each planning and service area for home care services.

Section 4B. The department shall, after public hearing, establish by regulation standards by which it shall judge and select those organizations with which it contracts as home care providers for the coordination or direct delivery of one or more home care services. In the establishment of standards and delivery of services the department shall give due consideration to councils for aging.

31 *Section 4C.* No person shall be disqualified from the receipt
32 of any home services solely on the basis of financial ability,
33 provided that there is established a need for the particular
34 home care service to the individual. The department shall pro-
35 vide on a sliding scale basis, payment for the full or partial
36 cost of home care services giving consideration to the financial
37 ability of the recipient to pay for such services.
38 *Section 4D.* The department shall, after public hearing,
39 establish by regulation a system of appeals for any elderly per-
40 son, council for aging, or home care provider denied, termi-
41 nated or reduced from either providing or receiving home care
42 services or any contract or reimbursement from the depart-
43 ment for such services, and shall also establish a system for
44 the hearing of complaints by any elderly person, council for
45 aging or home care provider with regard to the provision of
46 home care services.
47 Said appeals may be available to elderly persons in their
48 homes where deemed appropriate by the department and shall
49 be conducted in a manner so as to insure the privacy and
50 dignity of elderly persons.