

By Mr. Aleixo of Taunton, petition of Theodore J. Aleixo, Jr., for legislation to promote nursing home care for handicapped children and young adults. Health Care.

The Commonwealth of Massachusetts

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

AN ACT TO PROMOTE APPROPRIATE CARE FOR HANDICAPPED CHILDREN AND YOUNG 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 SECTION 1. Section 4J of Chapter 111 of the General Laws,
2 as amended by Section 4N of chapter 1229 of the acts of 1973,
3 is hereby further amended by striking out the first two paragraphs
4 and inserting in place thereof the following: —

5 No individual from birth to age twenty-two shall be admitted
6 to a nursing home without certification of eligibility for nursing
7 home care by the department's medical review team. The medical
8 review team shall be comprised of a multi-disciplinary team of
9 health and allied health professionals and such other individuals
10 as the department may, from time to time deem appropriate. The
11 medical review team shall, in consultation with the departments
12 of mental health, social services, welfare, education, office for
13 children, and the commission for the blind, assess the medical,
14 nursing, developmental and social needs of such individuals. In
15 the event that the medical review team denies certification, it shall
16 recommend an alternative care program appropriate to each
17 individual's needs.

1 SECTION 2. In addition to the bureau of transitional
2 planning's responsibilities under the provisions of section twelve
3 A to twelve C inclusive, of chapter seventy-one B of the General
4 Laws and notwithstanding the provisions of any other law to the
5 contrary, the bureau of transitional planning shall plan and

6 implement a pilot program to include, but not to limit to, nursing
7 home care for multiple-handicapped young adults who are
8 residing in pediatric nursing homes and who have attained the age
9 of twenty-two years on or before the effective date of this act. The
10 bureau of transitional planning shall submit a plan for the pilot
11 program to the transitional advisory committee which shall
12 propose guidelines for the operation of the program including
13 recommendations for resolving any interagency issues necessary
14 to implement the program. The plan for the pilot program shall
15 be approved by the transitional advisory committee and reported
16 to the joint committee on health care within six months of the
17 effective date of this act; and the pilot program described therein
18 shall be established within three months of said reporting. The
19 bureau of transitional planning shall report the results of the pilot
20 program and its long-term recommendations, if any, together with
21 drafts of legislation necessary to carry its recommendations into
22 effect by filing the same with the joint committee on health care
23 on or before September first, nineteen hundred and eighty-eight