

By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 390) of Robert L. Hedlund, Scott P. Brown and Bruce E. Tarr for legislation to require written responses to inquiries from family members and guardians of nursing home, rest home and long-term care facility residents. Elder Affairs.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT REQUIRING WRITTEN RESPONSES TO INQUIRIES FROM FAMILY MEMBERS AND GUARDIANS OF NURSING HOME, REST HOME AND LONG-TERM CARE FACILITY RESIDENTS.

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

1 Chapter 111 of the General Laws is hereby amended by  
2 inserting after section 72E the following section:—

3 Section 72E½. (a) For purposes of this section, the following  
4 words shall have the following meanings:—

5 “Administrator”, the head administrator or supervisor of a  
6 nursing home, rest home or long-term care facility.

7 “Family member”, the spouse, son, daughter or sibling of a  
8 person who resides in a nursing home, rest home or long-term  
9 care facility.

10 “Guardian”, a person who has qualified as a legal guardian of a  
11 person who is a resident in a nursing home, rest home or long-  
12 term care facility.

13 (b) If a family member or guardian of a resident of a nursing  
14 home, rest home or long-term care facility raises a specific con-  
15 cern about the health or safety of such a resident either verbally or  
16 in writing to such home or facility, the administrator shall respond  
17 in writing to the family member or guardian within 30 days of the  
18 home’s or facility’s receipt of communication. The written  
19 response shall identify the concerns raised by the family member  
20 or guardian and shall explain what corrective action, if any, the

21 administrator shall take. If an administrator requires further infor-  
22 mation in order to respond, the administrator shall request such  
23 additional information within 15 days of the receipt of the initial  
24 communication, and shall then respond in writing to the concern  
25 not later than 30 days after receiving any additional information.