

By Mr. Kollios of Millbury, petition of Paul Kollios, Edward G. Connolly, Carol A. Donovan, Marc D. Draisen, Louis L. Kafka and others relative to residential long term care services for the elderly. Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT RELATIVE TO LIFE CARE, CONTINUING CARE AND CERTAIN OTHER RESIDENTIAL LONG TERM 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:*

1 SECTION 1. Chapter 93 of the General Laws is hereby  
2 amended by inserting the following definition after the definition  
3 of "Living Unit" as appearing in line 23 of subsection (a) of sec-  
4 tion 76 of the 1990 Official Edition: —

5 "Long term care services." Any combination of nursing home  
6 care, in-home nursing care, assisted living services, independent  
7 living services, home health care, personal care, homemaking, case  
8 management, and/or comparable services designed to enable a  
9 functionally impaired resident to maintain himself and his living  
10 unit, as safely and comfortably as is reasonably possible in a  
11 continuing care setting as defined herein. For the purposes of this  
12 chapter, the term "long term care services" shall also be taken to  
13 include necessary or medically necessary diagnostic, preventive,  
14 therapeutic, rehabilitative, and/or custodial care.

1 SECTION 2. Chapter 93 of the General Laws is hereby  
2 amended by inserting the following as the new subsection (d) of  
3 section 76 thereof: —

4 (d) Any provider intending to market and/or develop  
5 continuing care pursuant to a contract which would require  
6 prepayment for some or all of the covered long term care services,  
7 or intending to market or develop additional units of such

8 continuing care shall forward a copy of the following information  
9 to the Executive Office of Elder Affairs within thirty days  
10 following the implementation of marketing of the continuing care  
11 facility. For the purpose of this subsection, "marketing" shall  
12 include but not be limited to establishment of a waiting list,  
13 acceptance of money, property or other consideration or  
14 distribution of marketing brochures by the provider.

15 1) the disclosure statement required under subsection (b) of this  
16 section to be delivered to the person(s) with whom the contract  
17 for continuing care is to be entered;

18 2) the contract(s) for continuing care to be entered into by the  
19 provider under subsection (c) of this section with persons who will  
20 be occupying a living unit in such continuing care facility;

21 3) any available advertising or promotional material to be used  
22 in conjunction with such marketing effort.

23 Any such provider shall forward a copy of any changes in the  
24 information required to be provided above the manner set forth  
25 above within thirty days after the provider's utilization of such  
26 changed materials with prospective residents. Any provider  
27 intending to market or develop additional units of such continuing  
28 care who has filed such information with the Executive Office of  
29 Elder Affairs pursuant to a previous marketing effort on the same  
30 units shall not be required to refile unless there has been a change  
31 in the information submitted. The Executive Office of Elder  
32 Affairs shall make such information available to the public in a  
33 manner which will allow residents and prospective residents to  
34 make informed choices regarding the selection of a provider,  
35 packages of services, coverage and/or care alternatives.

36 Such provider shall forward a copy of the building permit for  
37 such continuing care facility to the Executive Officer of Elder  
38 Affairs within thirty days after its issuance by the city or town  
39 where such facility is located.

40 The Executive Office of Elder Affairs shall make such  
41 information available to the public in a manner which will allow  
42 residents and prospective residents to make informed choices  
43 regarding the selection of a provider, packages of services,  
44 coverage and/or care alternatives.

1 SECTION 3. Chapter 93 of the General Laws is hereby  
2 amended by inserting the following as the new subsection (e) of  
3 section 76 thereof: —

4 (e) Any provider providing continuing care on the effective date  
5 of this statute under a contract which would require prepayment  
6 for some or all of the covered long term care services shall, within  
7 thirty days after such effective date, forward a copy of the  
8 following information to the Executive Office of Elder Affairs:

9 1) the disclosure statement required under subsection (b) of this  
10 section to be delivered to the person(s) with whom the contract  
11 for continuing care is to be entered;

12 2) the contract(s) for continuing care to be entered into by the  
13 provider under subsection (c) of this section with persons who will  
14 be occupying a living unit in such continuing care facility;

15 3) any available advertising or promotional material to be used  
16 in conjunction with such marketing effort; and

17 4) a copy of the building permit for such continuing care facility.

18 Any such provider shall forward a copy of any changes in the  
19 information required to be provided above in the manner set forth  
20 above within thirty days after the provider's utilization of such  
21 materials with prospective residents or residents of the continuing  
22 care facility. Any provider intending to market or develop  
23 additional units of continuing care who has filed such information  
24 with the Executive Office of Elder Affairs pursuant to a previous  
25 marketing effort on the same units shall not be required to refile  
26 unless there has been a change in the information submitted. The  
27 Executive Office of Elder Affairs shall make such information  
28 available to the public in a manner which will allow residents and  
29 prospective residents to make informed choices regarding the  
30 selection of a provider, packages of services, coverage and/or care  
31 alternatives.

32 Notwithstanding the remedy set forth in subsection (c) of this  
33 section, violation of the provisions of this section by a facility shall  
34 continue an unfair and deceptive trade practice under the  
35 provisions of chapter ninety-three A of the General Laws.

The first part of the report deals with the general situation of the country in 1850. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The second part of the report deals with the progress of the country during the year 1851. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The third part of the report deals with the progress of the country during the year 1852. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The fourth part of the report deals with the progress of the country during the year 1853. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The fifth part of the report deals with the progress of the country during the year 1854. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The sixth part of the report deals with the progress of the country during the year 1855. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The seventh part of the report deals with the progress of the country during the year 1856. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The eighth part of the report deals with the progress of the country during the year 1857. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The ninth part of the report deals with the progress of the country during the year 1858. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The tenth part of the report deals with the progress of the country during the year 1859. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education. The eleventh part of the report deals with the progress of the country during the year 1860. It is a very interesting and detailed account of the state of the country at that time. The author describes the political, social, and economic conditions of the country, and the progress of the various branches of industry and commerce. He also mentions the state of the arts and sciences, and the progress of education.