



Dear Members,

Mass-ALA has successfully advocated for another extension of the health services, staffing, and training flexibilities in assisted living. We are pleased to inform you that Governor Healey has signed a supplemental budget that includes this extension.

As a result, assisted living nurses will be allowed to provide skilled services, and ALRs can utilize staffing and training flexibilities until March 31, 2025. Please refer to the EOEA Waiver Extension Notification below for more details on implementation of the extension.

We applaud Governor Healey and the legislature for extending these important flexibilities, and we thank EOEA for this update and additional information.

Good Afternoon,

On April 30, 2024, Governor Healy signed H4582, extending the following policies until March 31, 2025.

Extension of Skilled Nursing Services

In accordance with Section 13 of Chapter 88 of the Acts of 2024, Section 39 of Chapter 2 of the Acts of 2023, and Section 23 of Chapter 20 of the Acts of 2021, until March 31, 2025, a nurse employed or contracted by an ALR may provide skilled nursing care subject to the following provisions included in guidance previously issued by EOEA:

1. Skilled care may only be provided to Residents under an established plan of care.
2. The skilled care to be provided may include, but is not necessarily limited to, the application or replacement of simple non-sterile dressings, the application of eye drops, the application of ointments, the management of oxygen on a regular and continuing basis, and injections.
3. The nurse providing skilled care must hold a valid license to provide such care.
4. Any skilled care to be provided must be authorized by a physician or relevant medical professional.
5. Skilled care may only be provided if the setting is medically appropriate for such care and the proper equipment, medication, and supplies are readily available.
6. The Resident must be evaluated by the nurse before any skilled care may be provided.
7. Prior to the provision of skilled care, the ALR must obtain the consent of the Resident, the Resident Representative, or Legal Representative.
8. Any charges that may result from the provision of skilled care must be disclosed and accepted by the Resident, the Resident Representative, or Legal Representative.

Administrative Requirements are as follows:

1. An ALR providing skilled care must notify EOEA that it is to provide skilled care to Residents and submit reports on the skilled care provided as required by the

Secretary of EOE. ALR compliance with such reporting requirements is required as a condition for the provision of skilled care.

2. Documentation concerning medical orders for skilled care, Resident consent, Resident evaluations, notice of charges, and the skilled care provided must be included in the Resident's record.

Extension of Minimum Staffing Requirement Waiver

In accordance with Section 13 of Chapter 88 of the Acts of 2024, Section 39 of Chapter 2 of the Acts of 2023, and Section 23 of Chapter 20 of the Acts of 2021, the requirement that no fewer than two staff members be on duty in a Special Care Residence (SCR), is suspended until March 31, 2025.

ALRs are required to always have sufficient staff to meet the scheduled and reasonably foreseeable unscheduled Resident needs. The ALR must track and document SCR staffing levels.

Extension of Training Requirement Waiver

In accordance with Section 13 of Chapter 88 of the Acts of 2024, Section 39 of Chapter 2 of the Acts of 2023 and Section 23 of Chapter 20 of the Acts of 2021, the training requirements for ALR staff, as described in 651 CMR 12.07, are waived until March 31, 2025, subject to the following:

1. All newly hired ALR employees must have adequate experience to fulfill the requirements of the position safely and professionally.
2. All newly hired employees must receive sufficient on-the-job training to familiarize them with the operational and administrative standards of the ALR, and to enable them to safely carry out their assigned duties.
3. ALRs must provide any critical training as necessary to protect the health, safety, and welfare of ALR Residents.

Thank you for your attention to this important matter.

Please direct any questions you may have regarding this letter to ALRHelp@mass.gov email.

If you have any questions, please contact us at Mass-ALA@mass-ala.org.

This update is solely for general informational purposes. It is not intended to replace a full review of the cited regulations or guidance.

www.mass-ala.org - massala@mass-ala.org - 781.622.5999

Mass-ALA | 465 Waverley Oaks Road, Suite 415, Waltham, MA 02452

[Unsubscribe cgreenberg@mass-ala.org](mailto:cgreenberg@mass-ala.org)

[Constant Contact Data Notice](#)

Sent by cgreenberg@mass-ala.org powered by



Try email marketing for free today!