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Dear Members,

The Massachusetts House and Senate passed a bill yesterday that includes many assisted living policy changes. Governor Healey now has 10 days to sign or veto the bill.

The bill, An Act to Improve Quality and Oversight of Long-Term Care, results from a compromise between the House and Senate. The bill reflects goals of various legislators, associations, and advocacy groups, as it required broad consensus to receive final approval. For instance, the House version of the bill focused on skilled nursing and rest homes and did not include assisted living, while the Senate version included the Basic Health Services bill and other sections on assisted living. Legislators and advocates sought to address many priorities in the bill, from increased ownership disclosure in response to the Steward Hospital crisis, to enhanced regulatory authority over all settings on the continuum impacting older adults, to enhanced care through health services in assisted living, and funding for skilled nursing and rest homes.

The bill includes permanent authorization of basic health services for assisted living residents. Those services include injections, oxygen management, wound care, eye drops and ointments. This is the change to assisted living law that Mass-ALA has been advocating for since 2015 as part of the Common Sense Health Services bill. In addition, we successfully advocated against several proposed changes to the bill, including proposals for DPH regulation of assisted living, 24-hour nursing mandates, and Registered Nurse mandates.

Several provisions remain in the bill that we advocated against, with your support at Advocacy Day in March and in our email campaign to Senators last month. One of those requires that any residence offering basic health services must offer all of the above-listed services. Another allows EOECA to fine residences for non-compliance with regulations as an alternative to suspending or modifying a certification. An additional provision reduces the ownership disclosure requirement from 25% to 5%.

The bill also includes several commissions we will participate on or be engaged with. The most noteworthy is a commission to study and make recommendations on M.G.L. 19D, the statute governing assisted living and assisted living regulations.

This bill includes positive changes for residents, family members, and providers. While the statute has changed with this bill, the full impact will not be clear until the implementing regulations are drafted. We will once again have the opportunity to advocate for changes through this regulatory process. We will advocate for practical implementation that includes clear guidelines, flexibility, and limits to fines and other sanctions.

We will keep you informed on the Governor's action on the bill. Thank you for your continued support and involvement as we work together to advance assisted living in the Commonwealth.

Best Regards,

Brian Doherty,  
President and CEO, Mass-ALA

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If you have any questions, please contact us at [Mass-ALA@mass-ala.org](mailto: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](http://www.mass-ala.org) - [massala@mass-ala.org](mailto:massala@mass-ala.org) - 781.622.5999**

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**MASS-ALA | [Website](http://www.mass-ala.org)**

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

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