



Dear Members,

The Massachusetts Attorney General is seeking public feedback to inform the creation of new consumer protection regulations for assisted living residences. This is an important opportunity for our sector to provide input on how regulations can protect residents while offering clarity for providers.

We will collaborate with the Attorney General's office to present the unique perspectives of the assisted living community and submit feedback on behalf of our members. Our initial input was featured in a recent [McKnight's article](#) about this initiative.

If you have specific concerns or suggestions you'd like us to include in our discussions, please share them with [us](#). This is our opportunity to ensure that the voices of those who care for and serve our assisted living residents are heard and valued.

Below is the press release from the Attorney General.



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ATTORNEY GENERAL'S OFFICE SEEKS COMMUNITY FEEDBACK TO INFORM DRAFTING OF ASSISTED LIVING RESIDENCES REGULATIONS

BOSTON — The Massachusetts Attorney General's Office (AGO) is seeking public feedback to inform drafting consumer protection regulations for assisted living residences in Massachusetts. Members of the public can provide comments to the AGO through an online form, available [here](#).

Through regulation, the AGO seeks to protect residents of assisted living residences from unfair and deceptive acts and practices, including misrepresentation of available services, improper fees, and unlawful evictions. The aging population served by these facilities would benefit greatly from stronger consumer protections in all of these areas, and owners and operators will benefit from greater specificity regarding their legal obligations. At this time, Massachusetts does not have consumer protection regulations specific to assisted living residences.

"We know the best way to serve our constituents is by listening to them," said Attorney General Andrea Joy Campbell. "Every resident of an assisted living facility has the right to live in a safe and habitable environment, free from abuse, neglect, and exploitation. Our older adults deserve to age safely with dignity and respect, which is why creating consumer protection regulations for assisted living facilities is so important and responsive to their advocacy."

Assisted living residences are designed for older adults who can live independently in a home-like environment, but may need help with daily activities like housekeeping, bathing, or medication assistance. According to the Executive Office of Elder Affairs, more than 17,000 people currently live in these residences in Massachusetts and have various options available to them. It is critical that consumers know what to expect when choosing an assisted living residence as their home.

[Chapter 93A](#), the consumer protection statute, authorizes the Attorney General to promulgate regulations to protect consumers. These regulations can require that facilities make certain disclosures about their contractual terms, and they also can

declare certain acts and practices to be unlawful.

Those who wish to provide feedback on the creation of regulations can do so through an online form, which can be found [here](#).

The AGO will use this feedback to inform draft regulations and will then proceed to promulgate regulations, a process which will include the publication of proposed regulations, a public hearing, and opportunities for the public to comment on the proposed regulations.

This project is being handled by Director Mary Freeley and Deputy Director Valerie Frias of the AGO's [Elder Justice Unit](#). AG Campbell created the Unit in August 2023 to protect and promote the safety and well-being of elders through enforcement actions, legislative advocacy, and community engagement and education.

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Statements of Support:

Acting Secretary Robin Lipson, Executive Office of Elder Affairs: "We thank Attorney General Andrea Joy Campbell and her team for their dedication to protecting residents in assisted living. The demographics of these residents continues to evolve – they are now older, with more complex needs, and it is essential that we ensure these individuals are informed and protected as they navigate their living options. Elder Affairs looks forward to working with the Attorney General's Office as the team explores ways to address assisted living residence consumer issues."

Former Senator Richard Moore, Co-Founder of Dignity Alliance and Member of the Leadership Council of the National Consumer Voice for Quality Long-Term Care: "Protecting older adults in assisted living facilities from financial, or other forms of abuse, is an important goal for Dignity Alliance. Attorney General Campbell deserves high praise for taking action to expand consumer protections to this vulnerable population. And since October is designated as "Residents' Rights Month," it's a great time to launch the development of this vital effort."

John Ford, Northeast Justice Center and Dignity Alliance: "The Attorney General's concern for the residents of more than 250 Assisted Living Residences in Massachusetts echoes the concerns of many residents, their loved ones and their advocates. Their advocates in particular know the value and scope of the protections afforded by regulations issued pursuant to the Consumer Protection Act (chapter 93A), which give weight and specificity as to what would be an unfair act or practice. We applaud the Attorney General's commitment to the growing numbers of consumers who will be protected by the regulations."

Kathleen Lynch Moncata and Liane Zeitz, Mass. Chapter of the National Academy of Elder Law Attorneys: "Massachusetts has a long history of pioneering consumer protections for vulnerable populations such as nursing home residents and tenants and we welcome comparable protections for consumers of assisted living residences (ALRs). ALR residents currently have little legal recourse when they do not receive the quality of care they've contracted for or when their rights are violated. We support Attorney General Campbell's efforts to provide increased protections for this vulnerable population."



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