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Dear Members,

AGE has published proposed updates to the assisted living regulations, which [you can download here](#). Their message accompanying the proposed regulations is below. Many of the updates are related to implementation of changes to assisted living policy made by the legislature and Governor when they adopted legislation, *An Act to Improve Quality and Oversight of Long-Term Care* in 2024. Mass-ALA strongly advocated on that bill and the shaping of the regulations based on it.

The updated regulations also include updates to assisted living that were recommended by policy changes related to the recommendations of the Assisted Living Residences Commission, which was created in the 2024 legislation. That Commission included three Mass-ALA Board members, and Mass-ALA participated actively in the development of those recommendations.

We will be carefully reviewing the proposed regulations and providing further information related to them. Mass-ALA will testify at the regulatory hearing and will provide input on the proposed regulations. We welcome your questions and input on the regulations at [massala@mass-ala.org](mailto:massala@mass-ala.org).

This version of the regulations is not currently in effect and is subject to possible changes, as these are proposed and not final. [You can find the regulations currently in effect governing assisted living here](#).

Please review the message from AGE below with relevant links:

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Good Afternoon,

Today the Executive Office of Aging & Independence is putting forth amendments to the Assisted Living Residences regulations for public comment. AGE will also be holding a public hearing regarding these amendments. The hearing is scheduled to take place on Thursday, February 26<sup>th</sup> at 10:00 am on Zoom. Information about the hearing as well as a copy of the draft amended regulations can be found in the hearing notice on AGE's [homepage](#).

ALRs are private residences that offer, for a monthly fee, housing, meals, and personal care services to aging adults. The regulation being amended at this time is 651 CMR 12.00, *Certification Procedures and Standards for Assisting Living Residences*. This regulation sets forth the requirements for Certification, renewal of Certification and suitability for Applicants and Sponsors of Assisted Living Residences.

These proposed amendments will do the following:

1. Establish the procedures for Assisted Living Residences to become certified to provide Basic Health Services to Residents in accordance with [An Act to Improve Quality and Oversight of Long-Term Care](#), and impose related requirements to ensure the provision of Basic Health Services is done in a safe and effective manner, including that Clinical Professionals must provide Basic Health Services within their scope of practice.
2. Promote the health, safety, and welfare of Residents residing in ALRs by:
  - a. Requiring that Personal Care Staff and Clinical Professionals be certified in CPR and the use of an AED;

- b. Requiring ALRs to have policies and procedures on the use of lift devices;
  - c. Requiring ALRs to have epinephrine and naloxone, as well as an AED;
  - d. Requiring that a Resident's service plan documents:
    - i. Whether the Resident is a fall risk
    - ii. The Resident's need for a mobility or transfer assistive device
    - iii. The Resident's need for a lift device
  - e. Requiring that personal emergency response systems be active and accessible to Residents. No response call shall exceed 10 minutes.
3. Reinforce prevention of retaliation by an ALR if a Resident or employee files a complaint in good faith with AGE.
4. Clarify AGE authority relating to compliance reviews, findings of noncompliance, and actions taken by AGE in response.
5. Require ALRs to meet certain enhanced safety requirements, including those related to fire safety and emergency preparedness.

If there are any questions about the draft regulations, the public hearing that our office will be hosting, or anything else- please let Patrick Sullivan (cc'd above) and I know. Have a great rest of the day and enjoy the upcoming weekend. Stay warm!

Thank you,

-Bill

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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.

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