



Dear Members,

We are updating you on the final [Attorney General's Office Consumer Protection Regulations for Assisted Living](#). Here is a more detailed summary of key provisions and the positive changes made after Mass-ALA's advocacy for changes to the draft regulations. We also invite you to a [webinar](#) on the new regulations to help you adapt and stay in compliance.

Join Mass-ALA for a webinar presented by Attorney Heather Berchem, Partner at Harris Beach Murtha & Attorney Kevin Buono, Partner at Morrison Mahoney LLP, ***Navigating the New Consumer Protection Regulations: Guidance for Assisted Living Providers, on August 17 from 1:00 pm – 3:00 pm.***

The Attorney General's final consumer protection regulations include many significant revisions from the initial draft. Through written testimony and meetings with the Attorney General's Office, Mass-ALA successfully advocated for the regulations to better align with the model of assisted living while maintaining strong consumer protections. The final regulations represent significant improvements over the initial draft, providing greater clarity, reinforcing existing regulatory structures, and reducing the volume of operational disruptions and changes that would be required for compliance. This outcome reflects the value of collaborative advocacy on behalf of Massachusetts assisted living providers. These regulations take effect **July 17, 2026**.

Below is a summary of key provisions and positive changes reflected in the final regulations:

Definition of Rent

The definition of "Rent" has been simplified to include only the amount a Resident pays to reside in a Unit and to remove fees for resident services. Provisions in the final regulations intended to apply to Rent and services and/or other fees include references to "Fees" or "Services" in addition to using the term "Rent" to acknowledge the distinction between housing and service-related charges.

Third-Party Guarantees

The regulations now clarify that third-party guarantees must be voluntary, reinforcing resident choice and flexibility in financial arrangements.

Government and Housing Subsidy Programs

The final language confirms that residences are not required to participate in specific subsidy programs (e.g., Senior Care Options, SCO, and Program of All-Inclusive Care for the Elderly, PACE). Instead, providers are required to engage in an interactive dialogue with residents who express interest in participation.

- Separate provisions related to housing subsidy programs remain, including language tying participation expectations to whether program funding meets market rate considerations.

Notice of Fee Increases

Clarification was added regarding the 60-day notice requirement for fee increases. The requirement applies when changes impact all residents, distinguishing it from situations where increases are tied to individualized service changes.

Access to Policies and Operational Documents

The requirement to provide copies of all contracts was revised. Residences are now required, upon request, to provide policies, rules, and documentation that govern resident conduct and outline responsibilities related to the delivery of goods or services to the Resident.

Disclosure of Staff Qualifications

The final regulations focus on preventing misrepresentation of staff qualifications, rather than requiring broad affirmative disclosure in all marketing materials. Existing requirements remain in place for disclosing staff qualifications in Special Care Residence (SCR) written disclosures.

Definition of Emergency

The definition of “Emergency” has been updated to allow determinations to be made by a nurse, including when the nurse is not physically onsite, providing additional flexibility in time-sensitive situations.

Staffing Level Disclosures

Language related to staffing disclosures has been aligned with existing EOEA regulatory requirements. This reinforces that disclosure expectations are consistent with current standards under 651 CMR 12.00 but also include additional clarifications about not counting part-time employees the same as full-time employees and not including staff who do not provide services directly to Residents.

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.

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