



Dear Members,

We understand that many providers are currently updating their Residency Agreements, Disclosures of Rights and Services, and other related documents to comply with the new Attorney General consumer protection regulations for ALRs. Those regulations took effect on July 17, 2026, and were summarized in our July 15 member update [here](#).

In addition, the amended regulations issued by the Executive Office of Aging & Independence (AGE) for 651 CMR 12.00, effective July 31, 2026, include provisions that also require updates to residency agreements and related disclosures. Although AGE issued implementation guidance on July 29 providing a transition period through September 29, 2026, we have summarized below several specific changes in the AGE regulations that affect residency agreements and disclosures. Members may wish to incorporate these changes now as they revise their documents to address the AG regulations.

Additions to the Residency Agreement:

The amended regulations at 12.08(2) require that residency agreements include:

- The policy regarding the resident's financial liability, or any other expectation for payment of services, during resident absences from the Residence.

Providers should note that the amended regulations prohibit charging fees for "optional services," or charging a cancellation fee, if a resident has provided 14 days' written notice of a planned pause or discontinuance.

For unplanned pauses, such as hospitalization or acute illness, the Residence must accommodate the change immediately upon receipt of written notice from the resident. The Residence may not charge a fee for optional services not provided more than 24 hours after receipt of the notice, and it may not charge a cancellation fee in those circumstances.

Although the AGE regulations do not specifically define "optional services," section 12.04(6)(a) provides examples, including local transportation; beauty/barber services and other amenities; Basic Health Services; and Limited Medication Administration. Optional services would also include services such as concierge services and recreational or leisure services.

Additions to Disclosure of Rights and Services

The amended AGE regulations also require adding the following to the Disclosure of Rights and Services:

- A statement of the number of staff who are qualified to administer CPR and use an AED, together with the ALR's policy on the circumstances in which CPR will be administered, and an AED will be used;

Providers should note that the new requirement to have at least one staff member available at all times who is certified in CPR and in the use of an AED is not effective until January 1, 2027. However, the current disclosure must be updated to state the number of qualified staff currently available and the circumstances in which CPR and AED use will be provided.

- The policy regarding a resident's financial liability, or any other expectation for payment of services, during resident absences from the Residence, which is also required in the residency agreement as noted above;

- Policies and procedures concerning smoking on the premises; and
- Policies and procedures regarding the proper use, administration, and maintenance of oxygen, including safety protocols.

Additions to Resident Rights:

The amended regulations also add new and revised resident rights. Providers should ensure that they update all resident rights disclosures that are part of, or attached to, residency agreements or disclosures, as well as any resident rights notices posted in the Residence. New rights that must be included are:

- To organize and participate in self-governed, confidential resident groups in the Residence;
- To participate in self-governed, confidential family groups;
- To have family members or other resident representatives meet in the Residence with the families or resident representatives of other residents in the Residence; and
- To review a copy of the Residence's disaster and emergency preparedness plan at any time.

In addition, section (k) of the existing resident rights must be amended to include contact information, in addition to the names, of the following persons:

- Upon request, to obtain from the Assisted Living Residence the name and contact information of the Executive Director, Resident Care Director, and any other persons responsible for the resident's care or the coordination of the resident's care.

ALR Certificate on Residence Website

In addition to displaying the Residence's ALR certificate in a conspicuous place in the Residence, providers must now also post the certificate on the Residence's website.

Mass-ALA will host a webinar on [August 12](#) to review other regulatory changes in greater detail.

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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