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**The Joint Committee on Elder Affairs Holds Hearing on Strengthening the Continuum of Care**

(BOSTON) - The Joint Committee on Elder Affairs, chaired by **Representative Thomas M. Stanley (D-Waltham)** and **Senator Patricia Jehlen (D-Somerville)**, held a hearing on proposals to strengthen the continuum of care for older adults.

The Committee received testimony on the following bills:

- **H648/S379: An Act to improve quality and oversight of long-term care**
- **H649/S380: An Act to improve Massachusetts home care**
- **H650/S374: An Act authorizing commonsense health services in assisted living**

"I am honored to be the Ranking Minority House Member of the Joint Committee on Elder Affairs this session and to have participated with my colleagues on the Committee in our first hearing," said **Representative Kane (R-Shrewsbury)**. "The bills focused on in the hearing are essential to the wellbeing of those in our Commonwealth who require supportive care and I thank all of the individuals who provided insightful testimony on Monday".

"COVID-19 has taught us how essential our seniors and those who care for them are. The three bills heard today are critical to vastly improving the continuum of care for elders." **Representative Stanley** said. "The committee will take the critical comments heard today and written testimony into consideration as we review the legislation."

"I am so excited that we had this hearing early in the session and that we are expecting early action on these important and timely bills," said **Senator Jehlen**. "The testimony gave support but also offered some improvements we will consider."

"Much of the testimony that the Joint Committee on Elder Services heard today points to staffing shortages as a primary cause of the challenges that nursing facilities and assisted living facilities face today. The three bills which were before the committee this morning would provide thoughtful solutions to some of those challenges," said **Sen. Edward Kennedy (D-Lowell)**

"No group has endured more loss and hardship during the pandemic than our seniors and those who care for them," **House Vice Chair Kate Lipper-Garabedian** said. "The pandemic taught us hard lessons about what is and who are 'essential' to a thriving, healthier future for our older residents. Even before the pandemic, we have known that there are significant health and wellbeing challenges for our seniors, their families, and the workforce who cares for them. And with an average of 10,000 baby boomers turning 65 every day in the country, it is imperative that state laws meet the moment. The three bills

considered by the Committee reflect robust collaborative engagement among legislators, executive branch offices, advocates, and other stakeholders and will effect critical reforms in nursing homes, assisted living residences, and home care across the continuum of care.”

**H648/S379, An Act to improve quality and oversight of long-term care** addresses the remaining needs highlighted in the 2020 Nursing Facility Task Force report, including establishing career ladder grants and student loan forgiveness programs; strengthening and enhancing the Department of Public Health’s (DPH) suitability standards; and providing DPH with additional tools to monitor and take punitive action on facilities.

Attorney General Andrea Campbell testified in support of the bill and spoke to how increasing the oversight of the nursing home industry is vital to ensuring the health and safety of seniors. H648/S379 increases the maximum civil penalties for abuse, neglect, and death of a patient or resident of a long-term care facility and increases the statute of limitations from 2 years to 4 years.

Advocates drew attention to the critical workforce crisis faced by the nursing home industry. According to the Massachusetts Senior Care Association, there are 8,000 vacancies (about 1 in 5 employees) across the Commonwealth leaving more than 3,000 licensed beds unavailable due to shortages. The use of temporary nursing agencies has tripled since 2019 and exacerbates the staffing shortage further. The bill’s provisions to create a living wage for workers, creating career ladder grants, and increased training for workers will help improve the workforce crisis by creating incentives for new workers to join the industry and for existing employees to stay, further develop their skills, and assume leadership roles.

**H649/S380, An Act to improve Massachusetts home care** establishes a licensure process for home care agencies with the goal of improving standards and preventing the abusive treatment of home care workers, personal care attendants, and consumers. New standards for home care agencies found in the bill include a 5% ownership financial disclosure, fines and punishment, appropriate levels of training and competency for staff, and liability insurance.

Massachusetts is one of the few states in the country that does not license home care agencies. Those testifying made clear how by licensing home care agencies and increasing oversight, both consumers and home care workers would be protected.

**H650/S374, An Act authorizing common sense health services in assisted living** would give assisted living facilities the option to provide basic health services by a Registered Nurse or Licensed Practical Nurse with written approval from the Executive Office of Elder Affairs. Basic health services authorized in the bill would include administering injections such as insulin, managing oxygen, applying drops or ointments, and handling wound care. Assisted living facilities are currently allowed to offer basic health services under an emergency order – and extended via legislation – that is set to expire on March 31<sup>st</sup>, 2024.

Without a permanent solution, residents and their families would need to arrange for a private outside nurse to visit and administer basic health services. Industry leaders as well as the families of currently in assisted living and receiving these services spoke to the impact of this legislation.

The April 10<sup>th</sup> hearing was Chaired by **Rep. Stanley** and Co-Chaired by **Sen. Ed Kennedy**. A full recording of the event is available on [malegislature.gov](http://malegislature.gov). Public Hearings on additional legislation will continue this spring and through the summer. ###