



Legislative Endorsement

Bill No. and Title: Bill S 424 An Act to prevent patient abuse and death in nursing homes

Sponsor(s) and Committee: Sen. Montigny, Elder Affairs

Legislative History: Hearing: June 30th, 2021

Legislation Text: Section 73 of chapter 111 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the second paragraph in its entirety and inserting in place thereof the following new paragraph:-

Notwithstanding the above paragraph, whoever violates any rule or regulation made pursuant to sections 71, 71C, 72, or 72C shall be punished by such fine not to exceed \$22,320, unless the department determines a higher amount is permitted pursuant to 42 CFR 488.438. If any licensee violates any such rule or regulation by allowing a condition to exist which may be corrected or remedied, the department shall order said licensee, in writing, to correct or remedy such condition, and if such licensee fails or refuses to comply with such order, each day during which such failure or refusal to comply continues shall constitute a separate offense. Fines collected pursuant to this paragraph shall be deposited into the Long-Term Care Facility Quality Improvement Fund established pursuant to section 2UUUU of chapter 29 and shall not revert to the General Fund.

<https://malegislature.gov/Bills/192/S424>

Endorsed by 32 members of Dignity Alliance Massachusetts including:		
<ul style="list-style-type: none"> • Boston Center for Independent Living • Center for Living and Work, Inc. • COP Amputee Association – COPAA • Disability Policy Consortium • Disability Resource Center • Easterseals Massachusetts • John Ford, Esq. • Lachan Forrow, MD • Judi Fonsh, LCSW, • Wynn Gerhard 	<ul style="list-style-type: none"> • Pamela Goodwin • Greater Boston Chapter of United Spinal Association • Fred Gross • Jerry Halberstadt, Stop Bullying Coalition • Sandy Hovey • Anne Johansen • James Lomastro, PhD • Paul J. Lanzikos 	<ul style="list-style-type: none"> • Massachusetts Advocates for Nursing Home Reform, Arlene Germain, Policy Director • Massachusetts Aging and Mental Health Coalition • Massachusetts Law Reform Institute • MetroWest Center for Independent Living, Paul Spooner, Executive Director • Richard T. Moore • Sandy Alissa Novack, MSW, MBA • SeniorCare, Scott Trenti, CEO

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