



## **The Dignity Dozen – Plus One**

### **Dignity Sponsored Legislative Proposals for 2023-2024**

Bills to improve the lives of older adults, people with disabilities,  
and their caregivers

For Questions – Contact Former Senator Dick Moore, Dignity Alliance  
Legislative Chair at [rmoores8743@charter.net](mailto:rmoores8743@charter.net)

If any legislators have filed bills to help older adults, people with  
disabilities or caregivers, you are welcome to send the bill number, title,  
and brief explanation to Dick Moore for review by the Dignity  
Legislative Work Group and potential endorsement by Dignity Alliance.

- 1. An Act to improve quality and safety in nursing homes – COMMITTEE  
ON ELDER AFFAIRS  
SPONSOR - Rep. Carol Doherty; H623; Cosponsors: Ruth Balser,  
Christopher Hendricks, Rodney Elliott, James Hawkins, James  
Eldridge**

*Section 1. According to the National Consumer Voice for Quality Long-Term Care, research has shown that staffing in nursing homes - numbers of staff, skills mix, and training - are critical indicators of quality care and positive resident outcomes. Yet too many nursing homes are understaffed, and the long-term care industry claims it does not have the resources to hire more staff. But is that really true given the provisions of this bill to expand the number and quality of potential staff? The purpose of this section is to promote sufficient professional staff for nursing homes to improve quality and safety for residents and staff.*

*This change is also expected to be incorporated in new CMS regulations being advanced by the Biden Administration.*

*Section 2. Purpose is to encourage efforts to place a resident back in their community.*

*Section 3. Research, as well as the COVID pandemic experience clearly demonstrates that viruses are easily transmitted when people live in close quarters. Two or less residents per room, as recommended by the Governor, offers more privacy, as well as safety.*

*Section 4. Purpose is to develop a system to ensure that the human rights of all residents and staff of nursing homes are protected.*

*Section 5. Research has shown that clients of the Department of Mental Health and Department of Developmental Services enjoy rights that are not given to residents of nursing homes. This will equalize the rights of all residents.*

## **2. An Act relative to transparency and accountability in nursing homes.**

### **COMMITTEE ON ELDER AFFAIRS**

**SPONSORS - Sen. Patricia Jehlen S377 Rep. Sally Kerans H633;**

**Cosponsors: Mark Montigny, Ruth Balsler, James Eldridge**

*This bill, commencing with fiscal years ending December 31, 2025, would, except as specified, require an organization that operates, conducts, owns, manages, or maintains one or more nursing homes to prepare and file with the office an annual consolidated financial report that includes data from all operating entities, license holders, and related parties in which the organization has an ownership or control interest of 5% or more and that provides any service, facility, or supply to the nursing home. The bill would require a duly authorized official of the organization to certify the report, as specified. The bill would require the Department of Public Health with the Center for Health Information to develop policies and procedures to outline the format of information to be submitted, determine if the annual consolidated financial report is complete, and post those reports and related documents to its website. California, New York, and New Jersey are among the states leading efforts to establish the true financial cost that taxpayers and policy makers need to know before supplementing appropriations whether for staff or any other operational need. Nursing home owners and operators need to place people over profits.*

*It is important for the state to collect more and better information about nursing home ownership and business relationships and the federal government is also working to make more ownership information available. The GAO found that The nursing home ownership information presented on Care Compare does not align with the characteristics of effective transparency tools. For example, Care Compare does not allow consumers to easily identify relationships, such as common ownership, and patterns related to quality across nursing*

*homes under common ownership. Therefore, it is difficult for consumers to know whether a given owner is associated with nursing homes of high or low quality. In addition, Care Compare uses ownership terminology, such as "5% or greater indirect ownership interest," that is not well defined and could be confusing for consumers. CMS has demonstrated a commitment to improving the transparency of nursing home ownership information and has an opportunity to present ownership information in a way that helps consumers make more informed care choices*

**3. An Act to improve quality and accountability in assisted living residences. COMMITTEE ON ELDER AFFAIRS  
SPONSOR- Sen. Mark Montigny, James Eldridge/ , Paul Schmid,  
Christopher Hendricks - S390**

*This act requires assisted living residences to have and maintain automatic external defibrillation devices and train staff in the use of such equipment, updates a reference in the membership in the Assisted Living Advisory Council to recognize the creation of the secretary of housing, and provides for a human rights committee in each ALR to protect the rights of residents.*

**4. An Act relative to community living for older adults and people with disabilities. COMMITTEE ON CHILDREN, FAMILIES, AND PERSONS WITH DISABILITIES  
SPONSOR - Rep. Josh Cutler H142; Cosponsors: Brian Murray, Carol Doherty, James Eldridge, Vanna Howard**

*This act encourages participation of older adults and people with disabilities to participate in community life by amending the Open Meeting law to ensure that these groups have access to local and state government activities.*

*Subject to local acceptance, the bill allows reduction in property taxes to keep living in communities affordable, provides Architectural Access Board regulations to apply to renovation as well as new construction to promote greater accessibility, protects homes of older adults and people with disabilities from being acquired in payment of MassHealth costs, encourages the construction of accessory dwelling for older adults and people with disabilities, authorizes personal care homes for older adults, and prevents bullying in public housing.*

*Finally, it establishes a special commission on alternatives to arrest and incarceration for individuals with developmental or intellectual disabilities. This has been problematic for individuals who act out in public, but are generally not responsible for their actions.*

*Police sometimes misjudge the situation, and the incident can escalate to the detriment of both the individual and the police. The commission will look at solutions to this problem.*

**5. An Act promoting accessible dwellings for older adults and people with disabilities to remain in their communities. COMMITTEE ON REVENUE  
SPONSOR - Rep. Kate Lipper-Garabedian H2874; Cosponsors: Ruth Balsler, James Eldridge**

*(Based on Dignity endorsed legislation from 2021-2022 session) This bill encourages home modification for seniors to help them remain in their homes as they age, promotes expanding the availability of adaptive housing for consumers with disabilities, mobility impairments and older adults, expands the authority of the Architectural Barriers Board to cover renovations as well as new construction to promote accessibility, and establishes a livable home modernization program,*

**6. An Act to Improve Opportunities for discharge from acute care facilities. COMMITTEE ON HEALTH CARE FINANCING  
SPONSOR - Rep. Lindsay Sabadosa; James Eldridge - H1241**

*This bill promotes a more robust hospital discharge program requiring consideration of placements in the community with appropriate services and support, rather than always referring patients to nursing homes.*

**7. An Act to improve long-term care staffing and dignity for caregivers. COMMITTEE ON REVENUE**

**SPONSORS - Sen. Bruce Tarr S1952 Rep. Manny Cruz , James Eldridge - H2572**

*This bill would establish a career ladder for home care workers, create a family caregiver tax credit, authorize spouses to serve as paid caregivers, strengthen emergency preparedness for home care workers and protect the health and safety of home care workers.*

**8. An Act to improve resilience of older adults and people with disabilities during emergencies. COMMITTEE ON ELDER AFFAIRS  
SPONSOR Sen. Bruce Tarr, James Eldridge– S403**

*This bill provides that in the event of a public health emergency or other natural or technological disaster, the secretaries of health and human service and elder affairs shall coordinate the response of the public health officer, emergency responders, and public safety personnel relative to protecting older adults and people with disabilities in (1) demographic, (2) physical, (3) psychological, (4) spiritual, and (5) socio-cultural factors. The act would direct councils on aging that receive state funding develop emergency plans to protect older adults and the disabled in their communities. The bill directs the executive office of housing to develop a grant program, subject to appropriation, to make homes of older adults and people with disabilities more resilient to disasters and to improve home safety.*

**9. An Act to establish the office of elder advocate. COMMITTEE ELDER AFFAIRS**

**SPONSORS - Rep. Josh Cutler H622; Sen. Jake Oliveira S396;  
Cosponsors: Brian Ashe, Patrick O'Connor, Michael Moore, Kathleen LaNatra, Smitty Pignatelli, Lindsay Sabadosa, James Arena-DeRosa, Carmine Gentile, Carol Doherty, Paul McMurtry, Mindy Domb, Vanna Howard, James Eldridge, Pat Jehlen**

*The bill is completely new this term, and establishes an office of elder advocate within, but not subject to the control of, the Executive Office of Elder Affairs with the authority to respond to complaints for residents or staff of nursing homes, rest homes, as well as assisted living residences.*

*It is modelled on the current statute that established the Office of Child Advocate. The office has the authority to initiate a complaint on its own without need for one to be submitted if it believes there may be probable cause of a violation of the rights of residents.*

*If the office is established, it will add an important new tool to support consumers and staff in long-term care, and supplement the oversight of the Department of Public Health (responsible for nursing homes and rest homes) and the Executive Office of Elder Affairs (responsible for assisted living residences).*

**10. An Act to ease the tax burden on older adults and people with disabilities. COMMITTEE ON REVENUE**

**SPONSORS - Rep. Carol Doherty; H2270; Sen. Jake Oliveira S1922;  
Cosponsors: Alan Silvia, Rodney Elliott, Patrick O'Connor, Paul Feeney, James Eldridge**

*The bill includes easing taxes on older adults, as recommended in the plan proposed by the Baker administration, including expanded eligibility for the senior circuit breaker program that benefits elder home owners and renters.*

*In addition, the bill includes a tax credit for family caregivers. Caregivers provide a variety of services for senior citizens and people with disabilities every year. Often, these caregivers are taking care of their parents or loved ones and will pay for medical expenses with their own money. Such dedicated caregivers would be eligible to receive this caretaker tax break and deduction. These deductions help defray the cost of taking care of loved ones, allowing the best care possible.*

*Across Massachusetts, over 800,000 family caregivers help their parents, spouses and other loved ones live at home—where they want to be—instead of being forced into costly, taxpayer-funded nursing homes. In addition to helping with bathing, dressing, transportation and much more, family caregivers take on financial challenges, spending almost \$7,000 a year to help care for their loved ones.*

*That's why Dignity Alliance and others advocating for older adults and people with disabilities are fighting to bring some financial relief through a modest tax credit to Bay State family caregivers who pay for expenses out of their own pocket. Expenses like hiring a home health aide, paying for transportation or making home modifications.*

*Dignity Alliance sponsored legislation would establish a modest caregiver tax credit of up to \$1,500 for family caregivers who pay for expenses out of their own pockets.*

**11. An Act to protect dignity, privacy, and safety of residents in nursing homes and rest homes COMMITTEE ON ELDER AFFAIRS  
SPONSOR - Rep. Thomas Walsh H655; Cosponsors: Rodney Elliott, James Eldridge**

*The bill codifies the current Department of Public Health policy of not more than two residents per room and promotes the goal of single occupancy, except at the request of the resident for a semi-private room. A penalty is included for non-compliance with submission and implementation of a plan to provide such residential arrangements. The purpose of requiring not more than two residents per room is to minimize spread of infections, maximize personal privacy of the residents, and provide a dignified living arrangement.*

**12. An Act protecting the rights of older adults and people with disabilities  
COMMITTEE ON ELDER AFFAIRS  
SPONSOR - Senator Becca Rausch S399;**

*This bill improves enforcement of the rights of older adults and people with disabilities by making the rights of nursing home residents consistent with rights granted by the departments of mental health and developmental disabilities, establishes a human rights protection organization in each nursing home, and directs the department of public health to train human rights committees and to oversee the program.*

**13. An Act to establish a COVID-19 Remembrance Day –COMMITTEE  
ON STATE ADMINISTRATION AND GOVERNMENT  
REGULATION**

**SPONSORS Sen. Patricia Jehlen, S2012; Rep. Ruth Balsler, James  
Eldridge, Rebecca Rausch H2987**

*This bill creates a new provision in the general laws, requiring the governor to annually issues a proclamation to remember the tragedy of the COVID-19 pandemic, to honor victims and survivors and their families who suffered from this pandemic, especially residents of nursing homes, and to take stock in the collective ability of public and private organizations and individuals on preparedness in the Commonwealth for future events that result in a declaration of a state of emergency.*