



FY '25 Budget Amendments of Supported by Dignity Alliance

Dignity Alliance Massachusetts, a non-profit, all-volunteer, statewide advocacy coalition advocates for older adults, people with disabilities and their care givers. We are appreciative of the House leadership, members and staff of the House Committee on Ways and Means for the improvements to House 2, that are contained in H.4600. The amendments listed below would, in our opinion, continue to make the FY '25 Massachusetts budget even more age-friendly and ability-friendly to those residents for whom we advocate. We are grateful to the member who have filed these amendments and express the hope that additional House members will co-sponsor and support any or all of these important proposals.

70 Rate setting for Home Care Amendment Clarifying Rate Setting

Processes for Home Health and Home Care Services - Representatives

Gentile of Sudbury and Stanley of Waltham move to amend the bill by inserting the following new section:

SECTION XX: Section 13D of Chapter 118E of the general laws is amended after the second paragraph by inserting the following new paragraph:

Such rates for home health agencies, as defined under section 51K of chapter 111, shall be established at least biennially. In setting such rates, the executive office shall use as base year costs for rate determination purposes the reported costs of the calendar year not more than 4 years prior to the current rate year, adjusted for reasonableness and to incorporate any new regulatory costs imposed since said base year costs. In establishing rates of payment to home

health agencies, the executive office shall consider all costs which must be incurred by efficiently and economically operated providers. The rates shall also include an allowance for reasonable administrative expenses and a reasonable profit factor, as determined by the executive office. Such cost analysis shall include, but not be limited to, the following: costs of similar services provided in other care settings; use of national or regional indices to measure increases or decreases in reasonable costs incurred since the base year costs; the revision of existing historical cost bases, where applicable, to reflect changing norms or models of efficient service delivery; and other means to encourage the cost-efficient delivery of services. The Secretary shall, concurrent with the completion of setting such rates, provide a report to the house and senate committees on ways and means detailing how the rates issued under this paragraph were analyzed and revised; provided further, that the report shall compare the inflationary considerations made in the adopted rate with the most recent “Home Health Agency Market Basket” index posted by the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services; provided further, that if the adopted rate does not rely on the “Home Health Agency Market Basket” index for the purpose of determining inflationary adjustments, then the report will simulate what the rate would have been if such index was a factor in rate development. In determining the methodology for setting rates, the Secretary shall consult with stakeholders impacted by the rates.

Section 4 of Chapter 19A is hereby amended by adding after Section 4D the following new section:

SECTION 4E: In establishing rates of payment pursuant to the second paragraph of section 13C of chapter 118E of the M.G.L., the executive office shall consider changes to the state minimum wage or changes to employer payroll tax obligations as governmental mandates that affect the costs of providing homemaker and personal care homemaker services to elderly clients under this section.

The executive office shall also consider and analyze rates of payment and wages associated with providing similar services in both the public and private settings. In calculating operating costs, the executive office shall consider costs of; health insurance, employee benefits and training, payroll taxes, technology costs, administrative allocation and staff salaries using the latest available national or regional indices and benchmarked to the latest available Bureau of Labor Statistics median wage data. Nothing in this section shall be construed as limiting consideration of other governmental mandates or operating costs that affect the cost of providing services pursuant to section 4 of chapter 19A of the General Laws. In determining the methodology for setting rates, the Secretary shall consult with stakeholders impacted by the rates.

The Secretary of Elder Affairs shall, concurrent with the promulgation of the final rates of payment for services under section 4 of chapter 19A, issue a report to the House and Senate committees on ways and means detailing how the rates promulgated were analyzed and determined in compliance with the provisions set forth in the second paragraph of section 13C of chapter 118E of the General Laws. The report shall detail the department’s analysis of changes in the costs of providing homemaker and personal care homemaker services since the immediately preceding rate determination; provided further, that the report shall compare the inflationary considerations made in the adopted rate with the most recent “Home Health Agency Market Basket” index posted by the United States Department of Health and Human Services, Centers

for Medicare and Medicaid Services; provided further, that if the adopted rate does not rely on the “Home Health Agency Market Basket” index for the purpose of determining inflationary adjustments, then the report will simulate what the rate would have been if such index was a factor in rate development.

182 Senior Planning Retirement curriculum - Representatives Lipper-Garabedian of Melrose and Stanley of Waltham move to amend the bill by adding the following section:

SECTION XXXX: Chapter 10, as appearing in the 2020 Official Edition, is hereby amended by inserting after section 78 the following section:-

Section 79. The office of the state treasurer shall develop and periodically review and update model curriculum to support seniors’ financial literacy and stability, in consultation with the executive office of elder affairs, the Massachusetts Councils on Aging and AARP Massachusetts.

358 LGBTQIA Virtual Senior Center - Representatives Peake of Provincetown and Scanlon of North Attleborough move to amend the bill in section 2, in item 9110-9002, by inserting at the end the following: “provided further, that not less than \$160,000 shall be allocated to Outstanding Life for the operation of a statewide virtual senior center for LGBTQIA+ older adults”, and in said item by striking out the figures “\$28,000,000” and inserting in place thereof the figures “\$28,160,000”

380 HST Consumer Advisory Board - Representatives Domb of Amherst and Peake of Provincetown move to amend the bill by adding the following section:

"SECTION XXXX. Chapter 6 of the General Laws is hereby amended by adding the following section:-

Section 222. (a) There is hereby established within the executive office of health and human services the human service transportation (HST) consumer advisory board, hereinafter referred to as the board, to advance the quality of nonemergency transportation to medical, community and other health and human services for persons with disabilities across the commonwealth and to identify challenges and solutions to address the experience and concerns of consumers using this service in order to ensure that HST is safe and reliable for all consumers.

(b) The board shall engage in activities that support its goals to identify challenges and solutions, make recommendations for improvements and propose guidelines on non-emergency human services transportation in order to provide the highest quality of service for consumers in the commonwealth, identify opportunities for improved service and productivity and provide a strong safety net for vulnerable populations in rural and urban communities. These activities shall include, but not be limited to:

(i) activities that elicit consumer experiences, feedback and insight into program participation as well as the ability to invite representatives from vendors, providers and referral sources in their attempt to capture information relevant to their purpose;

- (ii) a minimum of six public meetings annually, as required by subsection (d);
- (iii) consumer listening sessions pursuant to paragraphs (2) and (3) of subsection (d);
- (iv) an annual report, as required by subsection (d); and
- (v) any other activity consistent with the purpose of the board.

(c) The board shall consist of 13 members who shall include; the secretary of health and human services or their designee who shall be a non-voting member and shall serve as the convenor of the board; the director of MassHealth or their designee who shall be a non-voting member; and 11 voting members appointed by the governor: 1 of whom shall be appointed from a list of 3 consumers recommended by the Massachusetts developmental disabilities council; 1 of whom shall be appointed from a list of 3 consumers recommended by the Massachusetts Mental Health Association; 1 of whom shall be appointed from a list of 3 consumers recommended by the statewide independent living council; 1 of whom shall be appointed from a list of 3 consumers recommended by Stavros center for independent living; 1 of whom shall be appointed from a list of 3 consumers recommended by Independence Associates center for independent living; 1 of whom shall be appointed from a list of 3 consumers recommended by the Boston Center for Independent Living, Inc.; 1 of whom shall be appointed from a list of 3 consumers recommended by the Dignity Alliance; 1 of whom shall be appointed from a list of 3 consumers recommended by Arc Massachusetts, Inc.; 1 of whom shall be appointed from a list of 3 consumers recommended by the Disability Law Center; 1 of whom shall be appointed from a list of 3 consumers or consumer surrogates recommended by Mass Senior Care and the Massachusetts Council on Aging; and 1 of whom shall be appointed by the governor at their discretion.

(d)(1) The board shall meet a minimum of six times a year, all meetings of the board shall be held remotely and open to the public. Notice of remote meetings shall be posted as soon as reasonably possible prior to meeting. Notice shall be printed or posted in a legible, easily understandable format and shall contain the date, time and instructions for remote access and participation. The convenor of the meeting shall further include with the notice a listing of the topics that the convenor reasonably anticipates will be discussed at the meeting.

(2) In order to engage in activities that elicit consumer experiences, feedback and insight into program participation as well as the ability to invite representatives from vendors, providers and referral sources in their attempt to capture information relevant to their purpose, the board shall host and report on two virtual consumer listening sessions annually, preceded by targeted outreach to users of human services transportation services.

(3) The consumer advisory board shall file an annual report of its recommendations with the clerks of the house of representatives and senate, the house and senate committees on ways and means, the joint committee on transportation, the joint committee on children, families and persons with disabilities, the secretary of health and human services and the secretary of transportation not later than December 1. The recommendations shall be used by the human services transportation office to improve non-emergency human services transportation broker services.

The human services transportation office will provide the Board with an update of its actions with regard to the report's recommendations.

(4) The human services transportation office shall staff the consumer advisory task force, assist with facilitation for board outreach activities, and ensure its operation and scheduling.”.

382 EMHOT (Elder Mental Health Outreach Teams) - Representatives Stanley of Waltham and Lipper-Garabedian of Melrose move to amend the bill in Section 2, in item 9110-1640, by striking out the figures "\$2,509,294" and inserting in place thereof the figures "\$4,500,000".

386 SHINE Benefits Counseling - Serving the Health Insurance Needs of Everyone (SHINE) Program

Representatives Stanley of Waltham and Lipper-Garabedian of Melrose move to amend the bill in section 2, in item 9110-1455, in line 32, by striking out the figures "\$1,000,000" and inserting in place thereof the figures "\$3,000,000"; and in said item by striking out the figures "\$18,757,247" and inserting in place thereof the figures "\$20,757,247".

427 Elder Supportive Housing - Representatives Stanley of Waltham and Lipper-Garabedian of Melrose move to amend the bill in section 2, in item 9110-1604, by striking out the figures "\$11,369,484" and inserting in place thereof the figures "\$13,705,272".

428 Home Care Purchase of Services - Representatives Stanley of Waltham and Lipper-Garabedian of Melrose move to amend the bill in Section 2, in item 9110-1630, by striking out the figures "\$236,582,945" and inserting in place thereof the figures "\$271,321,030".

432 Home Care Case Management - Representatives Stanley of Waltham and Lipper-Garabedian of Melrose move to amend the bill in Section 2, in item 9110-1633, by striking out the figures "\$100,153,249" and inserting in place thereof the following "\$103,827,110".

509 LGBTQ Pryde Senior Housing - Mr. Consalvo of Boston moves to amend the bill in section 2, in line item 7008-1116, by inserting the following, "provided further, not less than \$250,000 be expended to LGBTQ Senior Housing Inc. to facilitate access to welcoming, safe and affordable housing for low-income LGBTQ seniors through development of affordable housing; inclusive housing services and programming that addresses the needs of LGBTQ seniors; and to support and preserve open space to serve seniors in Boston;" and provided further, in said item by striking the figures "100,000" and inserting in place thereof the figures "350,000".

621 Senior Nutrition Meals on Wheels - Mr. Donato of Medford moves to amend the bill in section 2, in item 9110-1900, by striking out the figures "\$11,057,218" and inserting in place thereof the figures "\$15,872,860."

667 AHVP - Representatives Consalvo of Boston and Decker of Cambridge Move to amend the bill in Section 2, in item 7004-9030, by striking out the figures "\$16,355,696" and inserting in place thereof the figure "\$16,855,696".

756 Public Guardianship Study - Ms. Kerans of Danvers moves to amend the bill by adding the following section:

"SECTION XXXX. (a) The Massachusetts Division of Medical Assistance ("The Division") shall conduct a study on the need for qualified professional guardians to give informed medical consent for unbefriended, indigent persons, which is a significant barrier to hospital discharge and access to long-term care and preventive care. The study shall include the following: 1) review the unmet need for qualified professional guardians to assist unbefriended, indigent persons with accessing appropriate medical care, including hospital discharge and preventive care; 2) produce data on the current number of Rogers and Rudow guardians, the costs to the state of reimbursing these types of guardians, and the number of MassHealth long-term care beneficiaries whose only income is from SSI; 3) analyze the estimated costs and benefits of establishing guardians as MassHealth fee for service providers; 4) make recommendations to improve the policies and procedures related to recognizing and paying guardians.

(b) The Division shall consult with the Probate and Family Court as needed to carry out the mandate of this section.

(c) Not later than July 31, 2025, the Division shall submit its report, including any proposed legislation necessary to carry out its recommendations, to the clerks of the senate and house of representatives and the joint committee on elder affairs."

788 EAEDC - Ms. Decker of Cambridge moves to amend the bill in section 2, in item 4403-2000, by striking out the words "month of April 2025" and inserting in place thereof the words "month of October 2024"; and further moves to amend said line item by striking out the figures "\$496,214,609 and inserting in place thereof the figures: "\$517,214,609":

and further moves to amend the bill in section 2, in item 4408-1000, by inserting after the words "shall not be less than the standard that was in effect in fiscal year 2024;" the following: "provided further, that beginning in the month of October 2024 the need standard and payment standard shall be increased by 10 per cent above the standard that was in effect in fiscal year 2024;" and further moves to amend said line item by striking out the figures "\$178,982,092" and inserting in place thereof the figures: "\$191,982,092".

854 Road Map to Health Care Safety - Mr. Lawn of Watertown moves to amend the bill in Section 2, by inserting after line-item 4100-0063 the following item:

4100-0064 For the Betsy Lehman center for patient safety and medical error reduction, to support implementation of the roadmap to health care safety for Massachusetts, including a pilot program of electronic health record safety event monitoring and a statewide program of health care safety education.... \$2,200,000

858 Livable Wage for Care Workers - Ms. Khan of Newton moves to amend the bill by adding the following section:

SECTION XXXXX

SECTION 1. On or before January 1, 2025, the executive office of health and human services in conjunction with, the executive office of administration and finance, the executive office of elder affairs and the executive office of housing and livable communities, in collaboration with

the Massachusetts Council of Human Service Providers, Inc., shall provide a report to the senate and house committees on ways and means that reports the disparity amount which is the monetary calculation of the average difference in salary between human services workers and direct care workers, nurses, clinicians or other comparable employees employed by the commonwealth's state-operated programs for human services and the rates paid to human service provider agencies employees in community-based human services organization with a human services program funded by the executive office of health and human services, the executive office of elder affairs and the executive office of housing and livable communities.

SECTION 2. On or before July 1, 2025 and annually thereafter until the disparity amount is eliminated for human services workers, the executive office of health and human services, the executive office of elder affairs and the executive office of housing and community development, in collaboration with the Massachusetts Council of Human Service Providers, Inc., shall provide a report to the senate and house committees on ways and means, the joint committee on children, families and persons with disabilities, the joint committee on elder affairs, the joint committee on health care financing, the joint committee on mental health, substance use, and recovery, the joint committee on public health, and the joint committee on state administration and regulatory oversight that includes the following information:

Report of the current disparity amount, as defined above between the salaries of human services workers, employed by human service providers and direct care workers, nurses, clinicians or other comparable employees employed by the commonwealth's state-operated programs for human services.

1042 Asset Limit for seniors – Mass Health - Mr. Ultrino of Malden moves to amend the bill by adding the following section:

"SECTION XXXX. Section 25 of chapter 118E of the General Laws is hereby amended by inserting after subsection (6) the following:

(7) resources in the amount of \$10,000 per individual and \$15,000 per couple.

The division shall submit a state plan amendment to implement this section no later than 30 days after the effective date of this section and subsequently promulgate all regulations necessary to implement said income and resource exemptions."

1158 – Personal Needs Allowance -Mass Health Personal Needs Allowance

Mr. Soter of Bellingham moves to amend the bill in section 2, in item 4000-0601, by striking the following:—"provided further, that funds shall be expended from this item to maintain a personal needs allowance of \$72.80 per month for individuals residing in nursing and rest homes who are eligible for MassHealth" and replacing it with:—"provided further, that funds shall be expended from this item to maintain a personal needs allowance of \$80.08 per month for individuals residing in nursing and rest homes who are eligible for MassHealth"

and in said line item by striking out the figures "\$4,580,139,945" and replacing it with the figures "\$5,038,153,939".

1168 PACE Workforce Elder Service Plan - Ms. Fluker Oakley of Boston moves to amend the bill in section 2, in line item 4000-0601, in line 50 by inserting after the word "item" the following: "; provided further, that not less than \$150,000 shall be expended to Harbor Health Services for the operation of its Program of All-Inclusive Care for the Elderly (PACE) day centers in Mattapan, Brockton and in any of the communities for which Harbor Health Services has been contracted to help meet the Commonwealth's PACE expansion goals" and in said line item striking out the figure "\$4,580,139,945" and inserting in place thereof the figure "\$4,580,289,945"

1293 REQUIP - Ms. Domb of Amherst moves to amend the bill in section 2, in item 4120-4000, in line 5, by inserting after "2023" the following: "; provided, that not less than \$500,000 shall be expended for the Requisition Durable Medical Equipment (DME) and Assistive Technology (AT) Reuse Program, Inc."; and in said item by striking out the figures "13,395,864" and inserting in place thereof the figures "\$13,895,864".

1312- Personal Needs Allowance for Nursing Home Residents - Mr. Garballey of Arlington moves to amend the bill by adding the following section:

“SECTION XXXX. SECTION 1. Section 1 of chapter 117A of the General Laws is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

Any person eligible for assistance under this chapter who is not maintaining his home and is receiving care in or residing in a licensed nursing facility, licensed chronic hospital, licensed rest home, or an approved public medical institution as defined in section 8 of chapter 118E, shall retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure activities. If there is no such income or if it is less than the amount of \$100.00, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who maintains his own home and receives state supplementary payments pursuant to sections 1 and 2 of chapter 118A.

SECTION 2. Chapter 118A of General Laws is hereby amended by inserting after section 7A the following new section:-

Section 7B. Any person eligible for financial assistance under this chapter who is not maintaining his home and is in a licensed medical facility which is eligible for medical assistance payments pursuant to chapter 118E or is residing in a licensed rest home to which such person pays a fixed rate, shall retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$100.00, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who maintains his own home and receives state supplementary payments pursuant to sections 1 and 2 of this chapter.

SECTION 3. Section 15 of chapter 118E of the General Laws is hereby amended by striking the fourth paragraph and inserting in place thereof the following paragraph:-

A person eligible for medical assistance under this chapter who is not maintaining his own home and is receiving care in a licensed nursing facility, a licensed chronic hospital, a licensed rest home, an approved public medical institution, or a public psychiatric institution shall retain the first \$100.00 of his monthly income for clothing, personal needs, and leisure time activities. If there is no such income or if it is less than the amount of \$100.00, such a person shall be paid monthly in advance the difference between such income and said amount. Said amount shall be increased annually each fiscal year at the same time and at the same percentage rate as increases payable to an individual who is maintaining his own home and who is receiving supplemental payments pursuant to sections 1 and 2 of chapter 118A."

1364 Increasing Public Participation on Structural Change Initiatives to the Comprehensive System of Long-Term Care Benefits and Services - Ms. Kerans of Danvers moves to amend the bill by adding the following section:

"SECTION XXXX. Notwithstanding any general or special law to the contrary, prior to taking any action that would result in significant disruption to the current comprehensive system of long-term care benefits and services for MassHealth members, the Secretary of Health and Human Service shall conduct a public hearing on any structural change initiatives related to pre-admission counselling, screenings, assessments and coordination of care. Such hearing shall provide interested parties with the opportunity to consider the current state of the system of care, the problems of concern that are in need of a remedy by an action of such magnitude to be reasonably considered a structural change initiative, and the potential options under consideration for addressing such concern. If after the benefit of input received from the public hearing the Secretary determines to proceed with implementing structural changes, then she shall provide written findings to the house and senate committees on ways and means that detail the structural change initiative and the results of the public process required by this section. Such findings shall be submitted to the House and Senate committees on ways and means not less than 30 days prior to the initiation of a public procurement process."

1367 - Study on the impact of extreme heat on older adults

Mr. Garballey of Arlington moves to amend the bill in line item 0411-1020 with the following: "and provided further that the office shall conduct a study of the impact of extreme heat on older adults and individuals with disabilities."

1407 - Independent Living Solutions

Ms. Sadosa of Northampton moves to amend the bill in line item 4120-0200 by striking the figure "8,000,000" and replacing it with the figure "10,000,000."