HOUSE DOCKET, NO. 2985 FILED ON: 1/18/2013

HOUSE . . . . . No. 112

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing a study relative to nursing care in community living programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Louis L. Kafka	*8th Norfolk*
Stephen L. DiNatale	*3rd Worcester*
Colleen M. Garry	*36th Middlesex*
Christine E. Canavan	*10th Plymouth*
James B. Eldridge	*Middlesex and Worcester*
Kay Khan	*11th Middlesex*

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HOUSE . . . . . No. 112

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 112) of Louis L. Kafka and others that the Executive Office of Health and Human Services conduct a study relative to nursing care provided to eligible MassHealth members with disabilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

An Act authorizing a study relative to nursing care in community living programs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1: The Executive Office of Health and Human Services is hereby authorized and directed to conduct a study relative to nursing care provided to eligible MassHealth members with disabilities residing in state operated, contracted or funded community residential supports programs and receiving community living supports. For the purposes of this study, “nursing care” shall mean services provided by licensed nursing personnel (registered nurses and licensed practical nurses) or by ancillary nursing personnel (nurses' aides or orderlies), under the direction of a registered nurse described in 105 CMR 150.001or a licensed practical nurse including nursing services provided by independent nurse providers and community case managers through MassHealth. For the purposes of this study, “dual eligibles” shall mean persons who are enrolled in both Medicare and Medicaid. Such study shall include, but not be limited to;

(a) Access to nursing care and preventive and wellness services provided to eligible MassHealth members with disabilities by nursing personnel

(b) Quality of nursing care and services provided to eligible MassHealth members with disabilities following serious injury and/or illness

(c) The costs of nursing care provided to eligible MassHealth members with disabilities in community settings as compared to costs of hospitalization and long term care.

(d) Processes available to notify MassHealth members and family members of nursing care and to include such services in individual care plans

(e) Recommendations for coordinating nursing services and health care with community supports to improve the health status of individuals with disabilities in the community.

21 Such study shall take into account and utilize the planning data and experience available
22 through the three year CMS state demonstration to integrate care for dual eligible individuals and
23 consider recommendations for State legislation based on the demonstration program.

24 The Executive Office of Health and Human Services shall report to the House Committee
25 on Ways and Means and the Senate Committee on Ways and Means the results of its study, and
26 its recommendations on, or within one month before, the first anniversary of the start of the three
27 year CMS dual eligibles demonstration but no later than November 15, 2014. Additional reports
28 shall be submitted on the second and third anniversaries of the first report.