

**HOUSE . . . . . No. 593**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Jennifer E. Benson***

*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 adoption of the accompanying bill:

An Act to support equal access to community care for elders and the disabled.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Adrian Madaro</i>	<i>1st Suffolk</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>

<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Jerald A. Parisella</i>	<i>6th Essex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Brian Murray</i>	<i>10th Worcester</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>

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By Ms. Benson of Lunenburg, a petition (accompanied by bill, House, No. 593) of Jennifer E. Benson and others for legislation to include certain income levels in calculating nursing home benefits payable under the Program of All-inclusive Care for the Elderly (PACE). Health Care Financing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 966 OF 2015-2016.]

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
—————

An Act to support equal access to community care for elders and the disabled.

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

1           Section 25 of Chapter 118E of the General Laws, as appearing in the 2010 Official  
2 Edition, is hereby amended in subsection (5) by striking the second paragraph and inserting in  
3 place thereof the following paragraph:-

4           In any case where the monthly income of an applicant or recipient is in excess of the  
5 exemptions allowed, the applicant or recipient, if otherwise eligible for Medicaid under this  
6 chapter, shall be liable to pay to the provider of medical care or service an amount which shall be  
7 equal to the excess income for a period of six consecutive months, which includes the period  
8 when such service was provided; provided, however that in such cases where the individual’s  
9 gross income is greater than 300% of the federal Supplemental Security Income level but less

10 than the average monthly cost of nursing home care as calculated by the division and the  
11 individual is participating in a Home and Community Based Waiver, under 42 USC  
12 1396a(10)(a)(ii)(VI) or a PACE Program, under 42 USC 1396u-4 or 42 USC 1395eee, the  
13 division shall charge a premium, equal to the difference between the individual's gross income  
14 and 300% of the federal Supplemental Security Income level, on a monthly basis. The division  
15 shall apply for any federal waivers necessary to implement this provision.