

FY2017 Senate Ways and Means Budget – Outside Section 74

Home Care Commission

SECTION 74. There shall be a special commission to make recommendations for the oversight and licensure of private home health agencies and for home health agencies requiring federal certification for operation and reimbursement from the Centers for Medicare and Medicaid Services, or CMS-certified home health agencies. The commission shall: (i) recommend minimum criteria for licensure of private home health agencies; (ii) establish standards of quality measures for home health services provided to consumers; (iii) review current licensure and oversight of CMS-certified home health agencies; (iv) establish licensure guidelines for private home health agencies and CMS-certified home health agencies that provide care to both private and Medicaid waiver populations; (v) ensure that the oversight and licensure of private home health agencies shall not create any duplicative requirements for CMS-certified home health agencies; and (vi) recommend consumer protection measures including, but not limited to, the establishment of a home health agency employee registry.

The commission shall consist of: the secretary of elder affairs or a designee who shall serve as chair; the commissioner of public health or a designee; the commissioner of insurance or a designee; the assistant secretary of Medicaid or a designee; the director of labor standards or a designee; the senate and house chairs of the joint committee on consumer protection and professional licensure or their designees; the senate and house chairs of the joint committee on elder affairs or their designees; 1 person who shall be appointed by the senate minority leader; 1 person who shall be appointed by the house minority leader; a representative of the Home Care Alliance of Massachusetts, Inc.; a representative of the Home Care Aide Council; and 12 persons to be appointed by the governor, 1 of whom shall be a representative of a long-term care insurance company, 1 of whom shall be a consumer representative, 1 of whom shall be an expert on home health patient safety; 2 of whom shall represent an agency that operates as both a private pay and CMS-certified home health agency, 1 of whom shall be a labor representative of home care workers, 3 of whom shall be providers of CMS-certified home health services of whom, of whom at least 1 shall be a registered nurse, and 3 of whom shall be providers of private pay home health care services, of whom at least 1 shall be a registered nurse. The commission shall issue a report with its recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives, the joint committee on consumer protection and professional licensure, the joint committee on elder affairs and the house and senate committees on ways and means not later than March 31, 2017.