

# SUPPORT AN ASSISTED LIVING CONSUMER PROTECTION STUDY COMMISSION

**SD2091** Senator Montigny

## What the bill does:

This legislation will create a commission to study and recommend updates to aspects of Assisted Living oversight and care in the state.



## For further information please

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## BACKGROUND:

**Need for Updates:** The Assisted Living Residence industry (ALR) has been growing rapidly since the creation of this model, implemented by a 1995 state law. The industry has changed in the decades since the law was enacted, including the increased provision of medical services and ALR residents being often older and more infirm than those in 1995. But in that time still no federal regulation of ALR's has been established. Which leaves the statute and the corresponding regulations inadequate to address the current consumer protection and oversight needs for this industry.

**Transparency:** One aspect that requires updating is the amount of information made available to the public in order for families and individuals to make decisions about which assisted living residence meets their or their loved one's needs.

The website [A Place for Mom](#) evaluates all the states' level of transparency on information about Assisted Living Facilities provided by each state to the public. Massachusetts is ranked at the bottom of the states due to the lack of information provided on a public website.

Information such as incident reports by facility, ownership information and safety records are not made public and cannot be searched by potential consumers.

Currently in Massachusetts, if a senior wants to obtain information about an assisted living facility, they are required to submit a FOIA (Freedom of Information Act) request to the Executive Office of Elder Affairs (EOEA) for that information. This process is time consuming and labor intensive for both the consumer and the agency.

## HOW THIS LEGISLATION HELPS:

**Commission:** This bill will create a Commission regarding ALR's with the express purpose of studying and making recommendations on updating the oversight, regulation, and consumer protections in order to ensure the safety of seniors receiving care in ALR's.