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**Author: Advocacy and Education Committee**  
**Testimony for H753 and S409**

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**June 2021**

Subject Line 2: **H753 and S409 (An Act authorizing common sense health services in assisted living)**

Thank you Chairwoman Jehlen and Chairman Stanley for the opportunity to provide testimony to the Joint Committee on Elder Affairs regarding **H753 and S409 - An Act authorizing common sense health services in assisted living**. We are writing as representatives of the Massachusetts Life Care Residents Association (MLCRA [www.mlcr.org](http://www.mlcr.org)).

**MLCRA** is a volunteer group that represents residents in 17 Continuing Care Retirement Communities (CCRCs) across the Commonwealth, both for-profit and not-for-profit. CCRCs provide a continuum of care to seniors, over the age of 62, including independent living, assisted living and skilled nursing care services.

Under current Massachusetts law, Covid-19 exceptions, notwithstanding, assisted living facilities provide residents only with help to accomplish "activities of daily living" (AOL's), e.g., bathing, dressing, medication reminders. They are **not** permitted to provide even the most basic health services, such as injections, application or replacement of non-sterile wound dressings, application of ointment or drops, and management of oxygen on a regular and continuing basis when the resident's medical condition warrants it. **H753 and S409** would enable assisted living facilities to provide the basic health services enumerated above, if they choose to do so. It would ensure that the Executive Office of Elder Affairs approve the facility's plan, including the plan for the training and support of Licensed Practical Nurses and Registered Nurses who will provide these basic health services. It is important to note that since Governor Baker declared a state of emergency in April, 2020, and continuing through the end of this calendar year, assisted living facilities in the Commonwealth have been permitted to provide, temporarily, the exact services proposed in these bills. Indeed, they are permitted to provide many more services than those enumerated above, if desired, as long as they are within the scope of practice of a licensed nurse.

Laws and regulations among the states vary greatly regarding the provision of health services in assisted living facilities. For example, in neighboring New Hampshire, assisted living facilities are able to provide health services up to the limit of what a licensed nurse is legally able to provide. These services go way beyond what these bills are proposing for Massachusetts. Passage of this bill in Massachusetts would enable residents of assisted living facilities to maintain their independence longer and acknowledge the reality of common, basic health services needed by this population.

Thank you for your consideration.

Yours sincerely,

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