



# The Commonwealth of Massachusetts

## AN INITIATIVE PETITION

### FOR A LAW

Under Article XLVIII of the Amendments to the Constitution of the Commonwealth

### SUMMARY

This proposed law would change how reimbursement rates for nursing homes and rest homes paid by the state are established by the state Executive Office of Health and Human Services.

The proposed law would require the Executive Office to use historical costs from a "base year" not more than two years before the current year in calculating a provider's reimbursement rates. The proposed law would eliminate the Executive Office's ability to make adjustments for reasonableness, remove the current restriction against providers using costs from years other than the chosen base year to appeal the reimbursement rates established by the Executive Office, and set the occupancy standard for nursing homes used in calculating a nursing home's reimbursement rate as the statewide average from the base year.

The proposed law would require that the rates set for each provider be sufficient to pay all allowable costs of caring for beneficiaries of the state's MassHealth program and all allowable costs of implementation of any state or federal law, regulation, or other governmental mandate to the extent permissible

by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services. Any additional costs incurred by a provider as a result of the rate-setting process established by the proposed law would also be included in that provider's rate.

The proposed law would require the Executive Office, in compliance with the methods and standards described above, to determine and certify rates for general health supplies, care, rehabilitative services, and accommodations incurred in the ordinary course of running a facility.

The proposed law would require that the Executive Office apply the regulations governing the calculation of nursing home rates in effect on January 25, 2019, to the extent that those regulations are consistent with the proposed law, when establishing rates for the covered facilities.

The proposed law could be amended only by a two-thirds roll-call vote of the Legislature.

**FILING DEADLINES.** Initiative petitions must be submitted to local election officials for certification of signatures no later than **5 p.m. on Wednesday, June 17, 2020**. Local election officials must complete their certification no later than June 29, 2020. Thereafter, initiative petitions containing certified signatures must be retrieved by petitioners from the local election officials and then filed with the Elections Division, Office of the Secretary of the Commonwealth, One Ashburton Place, Room 1705, Boston, MA, no later than **5 p.m. on Wednesday, July 1, 2020**.

<b>FIRST TEN SIGNERS</b>	<p><b>Kathleen A. Delsordo</b> 12 Beverly Street  <b>David J. Donnelly</b> 402 Admiralty Heights  <b>Erica J. Hanks</b> 23 Hammond Street  <b>Andrew D. Hodgdon</b> 23 Wall Street  <b>Albert Carlo Sivo</b> 62 Old Nugent Farm Road  <b>Richard L. Jasiak</b> 18 Granite Street  <b>Ryan Gagne</b> 7 Coachman Lane  <b>Robert W. Woodcock</b> 130 Rea Street  <b>Diane Gagne</b> 7 Coachman Lane  <b>Lisa Lannon</b> 8 Arrowwood Street</p>	<p><b>Dartmouth</b>  <b>Yarmouth</b>  <b>New Bedford</b>  <b>Arlington</b>  <b>Gloucester</b>  <b>Haverhill</b>  <b>Methuen</b>  <b>North Andover</b>  <b>Methuen</b>  <b>Methuen</b></p>	<p><b>REGISTRAR USE ONLY:</b></p> <p style="font-size: 2em; transform: rotate(-30deg); opacity: 0.5;">ONLY REGISTRAR MAY WRITE IN THIS AREA</p>
	<p>These names have been certified as names of registered voters in their places of residence. Original petition was filed on September 4, 2019.</p> <p style="text-align: center;"><i>William Francis Galvin</i></p> <p style="text-align: center;"><b>SECRETARY OF THE COMMONWEALTH OF MASSACHUSETTS</b></p>		<p><b>CIRCULATOR INFORMATION</b></p> <p><b>SPONSORS OF THIS PETITION MAY BE CONTACTED AT:</b></p> <p>Petition D          12 Beverly St.          North Dartmouth, MA 02747          508-971-3273</p>

<b>CIRCULATOR AND SIGNER INFORMATION</b>	<p><b>INSTRUCTIONS TO CIRCULATORS AND SIGNERS</b></p> <ul style="list-style-type: none"> <li>• <b>DO NOT ALTER THIS INITIATIVE PETITION IN ANY WAY. ADDITIONAL MARKINGS ON THIS PETITION WILL DISQUALIFY ANY SIGNATURES ON THIS PETITION SHEET.</b></li> <li>• For your signature to be valid, you must be a registered voter in the city or town named below and your signature should be written substantially as registered. DO NOT sign the same petition more than once.</li> <li>• If you are prevented by physical disability from writing, you may authorize some person to write your name and residence in your presence.</li> </ul>
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REGISTRAR USE ONLY	I. SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II. NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated below)	WARD	PREC.
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City or Town

ONLY REGISTERED VOTERS OF  MAY SIGN THIS SHEET.  **DD**

(OVER)

Circulator petition sheet number

ATTENTION VOTERS: Before signing, read signer information on other side. CITY OR TOWN:

REGISTRAR USE ONLY	I. SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated on other side)	II. NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	WARD	PREC.
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**WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying, or suppressing this petition: fine of up to \$1,000 or imprisonment for up to one year.**

**INSTRUCTIONS TO REGISTRARS**

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| <b>REGISTRAR INFORMATION</b> | <ul style="list-style-type: none"> <li>You must time-stamp or write in date and time these papers are received.</li> <li>Check this ✓ against the name of each qualified voter to be certified. For names not certified, use the code at the right. Draw a line through any blank spaces not containing signatures.</li> <li>Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.</li> <li>You must complete certification no later than June 29, 2020.</li> </ul> | <p><b>N</b> - no such registered voter at that address, or address is illegible.</p> <p><b>S</b> - unable to identify signature as that of voter because of form of signature, or signature is illegible.</p> <p><b>W</b> - wrong community.</p> <p><b>T</b> - already signed papers for this question.</p> |
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<p><b>CERTIFICATION OF SIGNATURES</b></p> <p>_____ city or town                      _____ month and day</p> <p>We certify that _____  <small>(number of names certified – use numbers and words)</small></p> <p>above signatures checked thus ✓ are names of qualified voters from this city or town.</p>	<p><b>At least three registrars' names must be signed or stamped below.</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p><b>Registrars of Voters or Election Commissioners of</b></p> <p>_____ city or town                      _____ county</p>
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*City or Town*

**ONLY REGISTERED VOTERS OF  MAY SIGN THIS SHEET.** DD