



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Bureau of Health Care Safety and Quality
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Circular Letter: DHCQ 10-11-538 (REVISED)

TO: Long term care facilities
Skilled nursing facilities
Other Interested Parties

FROM: Alice Bonner, PhD, RN, Director

SUBJECT: Massachusetts DPH Nursing Home Brochure, "*A Guide to Nursing Home Care*"

DATE: November 2nd, 2010

This revised circular letter specifies our web address where you may obtain a printable copy of the brochure. A sample copy of the brochure was sent with the circular letter dated October 29th.

Pursuant to House 4637, approved on July 30th, 2010 (see attachment A), all nursing facilities in the Commonwealth are required to provide a Department of Public Health (DPH) approved brochure to all new patients and/or family members at the time of admission. The purpose of this brochure is to inform patients or their designated health care agents about basic nursing home state and federal regulations, and where to find those regulations. The DPH brochure should be distributed to patients and/or family members with other admission materials in the admissions packet.

Nursing facilities must also provide an updated list of key contacts including telephone number with extension and/or email with the brochure (i.e. - a flyer or insert). This must include, but is not limited to: administrator, DON, ADON, nursing supervisor or unit manager, physician or nurse practitioner.

Nursing facilities are required to keep a record of whether or not the brochure was provided to each new admission. This can be done with a separate tracking system, or can be added to a standard admissions checklist if one is already in use in a nursing facility (see attachment B). The person who receives the brochure must sign the acknowledgement, attesting to having received the brochure. These records must be maintained in the facility (e.g., admissions department) and may be requested by state surveyors during the survey or complaint process.

DPH will provide an initial, one-time shipment of hard copies of the brochure, based on best estimates of the number of annual admissions. Subsequently, facilities are required to download and print the brochure from the DPH website (www.mass.gov/dph/dhcq). The brochure is available in English, Spanish, Portuguese and Chinese (Mandarin). To request additional languages/translations, please contact DPH.

Improving communication and increasing transparency will promote better dialogue between new nursing home patients, families and providers. We appreciate the involvement of the provider community, advocacy groups, the Massachusetts Senior Care Association, MassAging and the Executive Office of Elder Affairs in the development of this brochure.

If you have any questions or problems downloading or printing the brochure, please contact Rodd Kelly at rodd.kelly@state.ma.us.

Thank you very much.

Attachment A

CHAPTER 198 AN ACT PROTECTING NURSING HOME RESIDENTS, (See House, No. 4637).

For the purposes of this section, “long-term care facilities” shall mean nursing homes or skilled nursing or rehabilitation facilities.

Chapter 111 of the General Laws is hereby amended by inserting after section 72Z the following section: Section 72AA. Long-term care facilities shall distribute to each new resident, a resident’s family member or health care proxy, at the time of admission, an informational document written by the department of public health in layperson’s language about the laws and regulations that govern nursing homes, rest homes and long-term care facilities. Information in the document shall include, but not be limited to, the location of all relevant state and federal laws and regulations relating to long-term care facilities. The nursing home shall be required to maintain a record with the signature as acknowledgment of receipt by the resident, family member or health care proxy.

Approved by the Governor, July 30, 2010

Attachment B

Acknowledgement

This form acknowledges that I have received a copy of the DPH Brochure, *A Guide to Nursing Home Care*.

Signatures

Resident

Legal Representative (Guardian, Health Care Proxy)

Family Member

Staff Member providing brochure

Date: _____