



# The Commonwealth of Massachusetts

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July 27, 2006

**FOR IMMEDIATE RELEASE**

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**CANDARAS SUPPORTS LEGISLATION TO BENEFIT SENIORS**

*“Equal Choice”, “PCA” and “CSRA” Bills Passed in House During Final Days of Session*

**BOSTON**—State Representative Gale D. Candaras (D-Wilbraham) supported three bills that will give seniors and disabled individuals more control over their lives. Candaras voted in favor the “Equal Choice” bill, which provides senior citizens and disabled individuals who qualify for long-term care services under MassHealth, the state’s Medicaid program, “equal choice” of care at home or care in a nursing home. The legislation was adopted unanimously by the House of Representatives. The Senate engrossed a similar version of the bill, which will now be sent to the Governor for his approval.

The “Equal Choice” bill is expected to save state taxpayers \$134 million in the first five years after implementation. Several recent studies of the state’s long term care system have noted the Commonwealth’s over-reliance on nursing home and institutional care, especially for the state’s elderly. Today, approximately 75% of the MassHealth funding for long-term care goes to nursing homes. Massachusetts ranks 25<sup>th</sup> in the nation for percentage of MassHealth funding spent in the community.

Candaras said, “This is a landmark piece of legislation. It gives seniors the option to live in the community if they are able, and will yield hundreds of millions of dollars in much-needed savings going forward.”

Al Norman, executive director of Mass Home Care, said, “The bill is an important civil rights bill that allows consumers to seek care in the most integrated setting. Its passage is the culmination of years of hard work on the part of home care advocates and the Chairman of the Joint Committee on Elder Affairs, Robert Correia.” [D- Fall River]

The “Equal Choice” bill establishes a focused “pre-admission counseling” program for people who are referred to a nursing home to ensure that they are aware of community alternatives. Everyone about to enter a nursing home, regardless of whether they are privately paying or seeking MassHealth support, will have the opportunity to explore options in the community first.

This legislation has been endorsed by advocates for the elderly and disabled rights groups in the state, including Mass Home Care, AARP, the Statewide Independent Living Council, MAOA, Mass Senior Action, Mass Councils on Aging, and the Greater Boston Interfaith Organization.

Candaras also supported the Personal Care Attendants (PCA) bill, which passed overwhelmingly in the final days of the legislative session. “The PCA bill will establish a stable, reliable workforce of healthcare aides who will provide care for seniors in their homes and will facilitate the implementation of the ‘Equal Choice’ bill,” she said.

In a letter written to House Ways and Means Committee Chairman Robert A. DeLeo (D-Winthrop) prior to the passage of the PCA bill, Candaras stated that because no centralized registry for personal care attendants exists, the task of matching caregivers to those in need of care is left to chance. In light of the PCA bill’s acceptance in the House, individuals may draw upon a bank of qualified, trustworthy and responsible attendants to care for their loved ones. Oftentimes, being able to find qualified, reliable personal care attendants makes all the difference for seniors and their families in terms of remaining in their homes.

Additionally, Candaras spearheaded efforts to restore the Community Spouse Resource Allowance (CSRA) and pointed to this funding as another important facet of the comprehensive package of senior-friendly legislation approved in the House.

The CSRA is the share of marital assets which the spouse of a nursing home resident receiving Medicaid (MassHealth) benefits is allowed to keep. Under federal law, a state may set the amount the spouse who remains in the community—or “community spouse”—may retain, provided this amount falls between federally mandated minimum and maximum amounts. For many years, Massachusetts allowed community spouses to keep the maximum federal allowance of \$99,540. However, in 2003, then-Governor Swift cut the CSRA to the minimum federal allowance of \$19,908, or one-half of the marital assets up to a maximum of \$99,540, whichever was greater. Though a restoration of the CSRA was included in the Fiscal Year 2007 conference committee budget, Governor Romney vetoed the outside section that provided this funding.

“Restoration of the CSRA will provide considerable relief to those seniors who remain in the community after their husbands and wives relocate to nursing homes and I am pleased that the House voted to override the Governor’s veto,” said State Rep. Gale D. Candaras (D-Wilbraham), who counted this issue among her top budget priorities.

Candaras also pointed out that Massachusetts has one of the highest overall costs of living in the country. Health care and housing are particularly expensive in relation to other states, and restoring the CSRA will allow elderly spouses to maintain a measure of financial security while helping them avoid the indignities of impoverishment and premature nursing home placement. “Increasing the CSRA was of critical importance,” said Candaras. “There’s no point in passing legislation to give seniors the ability to remain in their homes if they cannot afford to fix the roof or the septic system or make other needed repairs.”

Candaras stated that the “Equal Choice,” “PCA” and “CSRA” bills will go a long way towards shifting MassHealth, the state’s Medicaid program, from an institutional model to a community-based model and give seniors the logistical and financial resources they need to remain in their homes. “The elderly and the disabled want to be cared for at home as a first resort,” Candaras said. “This legislation gives them the option they want most: to stay in their homes and live independently in the community.”