

UPDATE CORONAVIRUS (COVID-19)



Stay informed. Take precautions. Stay safe.

Passage of COVID-19 Liability Bill Protects Assisted Living in the Pandemic

Dear Members,

On April 17, Governor Baker signed S.2640 which would give health care facilities, including assisted living residences, and professionals protection from lawsuits and civil liability for alleged damages related to COVID-19, as long as they provided services in good faith, and the damages were not caused by gross negligence, recklessness, or an intent to harm or discriminate. The law will provide protection to health care facilities and health care professionals providing care during the COVID-19 state of emergency that was declared by the Governor on March 10.

Mass-ALA had contacted Governor Baker's administration to urge him to take action on this issue as it became clear that many policies and care practices were changing rapidly in response to the COVID-19 pandemic. We were extremely pleased when he filed S2640 and included assisted living residences among the covered health care facilities on the front lines of this fight. Mass-ALA submitted a letter urging passage and some clarifications to the Joint Committee on Financial Services when they held a hearing on the bill, and we engaged with legislative leadership in both the House and Senate. Although Mass-ALA advocated for personal care attendants to be explicitly added to the list of named health care professionals, the legislature deemed the bill to be adequate as-is.

We are pleased to see that Massachusetts has enacted measures to limit civil liability for assisted living residences so they may focus on continuing to provide the best care to residents during this time. We will continue to advocate for assisted living residences and staff and the residents they serve.

Please contact us if you have any questions at, MassALA@mass-ala.org

**The information provided in this COVID 19 update is solely for general informational purposes to assist in understanding the evolving guidance regarding the current COVID 19 public health threat. It is not intended to be a primary public health or medical resource, but is provided as a clearinghouse for or compilation of various guidance issued by official and related sources.*

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