

NEW LAW TO LICENSE HOME CARE AGENCIES

By Lauren Hale, Southgate

Article from the July-September 2026 MLCRA Patriot

Some MLCRA members hire home care aides to help with non-medical services such as bathing, other personal care, laundry, and transportation. They may not be aware that Massachusetts has been one of a handful of states that do not license home care agencies.

That changed this summer. On July 31, the Massachusetts legislature passed a bill that requires licensing of home care agencies and establishes protections for both clients and workers. Governor Healey signed the bill into law on August 7. Senator Patricia Jehlen, who sponsored the bill in the Senate, noted that aides paid by the state must be screened, trained, and supervised. If you pay privately, there have been no similar requirements.

The new law calls for the Executive Office of Health and Human Services (EOHHS), in collaboration with the Executive Office of Aging and Independence and the Department of Public Health, to establish a statewide licensing system. EOHHS will inspect and investigate agencies. It will post an online list of licensed providers.

Licensed agencies will be required to do background checks on employees. Driving records will be checked if employees provide transportation. The agencies must train staff in areas such as privacy rights of home care consumers, the handling of emergencies, identifying and reporting suspected abuse, understanding dementia, and worker safety.

The law establishes procedures to ensure that home care workers have safe working conditions, adequate training, and a way to submit complaints. It requires licensed home care agencies to maintain workers' compensation and liability insurance.

The law also creates a Long-Term Services and Supports Commission to consider the idea of a state program into which people would pay and from which older adults could receive long-term services or supports.

The state must now develop and finalize regulations for the licensure program. Home care agencies will be required to obtain licenses not later than one year after the regulations are finalized.

You can read the full text of the new law, **An Act to Improve Massachusetts Home Care**, at <https://malegislature.gov/Laws/SessionLaws/Acts/2026/Chapter180> .