



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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Notice of Public Hearing and Comment Period

Notice is hereby given pursuant to M.G.L. c.93A §2(c), that the Office of the Attorney General (AGO) will hold a public hearing and comment period on the following proposed regulation:

940 C.M.R. 40.00 (promulgated pursuant to M.G.L. c. 93A, § 2(c))

The proposed regulations will promote the protection, health and well-being of residents of assisted living residences. The draft regulations describe certain unfair or deceptive acts or practices, and necessary disclosures, in the context of operating an assisted living residence in Massachusetts.

A hybrid public hearing will be held on Wednesday, April 29, 2026, at 1:00 pm in the Conference Room located on the 2nd Floor of One Hundred Cambridge St, Boston, MA 02108 and virtually using this link:

<https://teams.microsoft.com/meet/2930902373510?p=PeNgPOCqaL0b2ucqMQ>.

Individuals who provide notice of their intent to testify will be afforded an earlier opportunity to speak. Speakers are strongly encouraged to provide notice of their intent to testify by emailing the address below with the subject line: “Regulation Hearing Comment – 940 CMR 40.00.” Written comments will be accepted starting April 6th until 5:00 p.m. on May 1st. **All written comments submitted to the AGO are a public record in their entirety and will be provided in response to a public records request.**

Email: AGOregs@mass.gov.

Postal Mail: Massachusetts Office of the Attorney General
Attn: Policy & Government Affairs Division
One Ashburton Place, 20th Floor
Boston, MA 02108

A copy of the proposed regulations 940 CMR 40.00 may be obtained by contacting the above address or email address or by visiting: <https://www.mass.gov/doc/940-cmr-40-assisted-living-residences/download>.

To request interpretive services, please submit your request at least five (5) business days prior to the public hearing.

Small Business Impact Statement
(As required by M.G.L. c. 30A §§ 2, 3 & 5)

940 CMR 40.00

Estimate of the Number of Small Businesses Impacted by the Regulation: About 250

- Will small businesses have to create, file, or issue additional reports?
No.
- Will small businesses have to implement additional recordkeeping procedures?
No.
- Will small businesses have to provide additional administrative oversight?
No.
- Will small businesses have to hire additional employees in order to comply with the proposed regulation?
No.
- Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
No.
- Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
No.
- Are performance standards more appropriate than design or operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.)
No.
- Do any other regulations duplicate or conflict with the proposed regulation?
No.
- Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?
No.
- Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
No.

- Is the regulation likely to deter the formation of small businesses in Massachusetts?
No.
- Is the regulation likely to encourage the formation of small businesses in Massachusetts?
No.
- Does the regulation provide for less stringent compliance or reporting requirements for small businesses?
No.
- Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
No.
- Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
No.
- Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
No.