What Massachusetts Healthcare Facilities Should Include in Effective Admission Agreements

Services

Healthcare & Nursing Home Law

By Thomas J. Cleary on May 13, 2026

Healthcare organizations across Massachusetts work hard to provide safe, compassionate environments for individuals who need ongoing support. Whether you are serving aging adults, individuals with chronic medical conditions, or patients recovering from serious illness, long-term care facilities often balance complex regulatory obligations while still trying to preserve dignity, clarity, and trust for residents and families.

One of the most important tools for setting expectations is a well-drafted admission agreement. Our Massachusetts healthcare attorneys at Cohen Cleary, P.C., help healthcare organizations create clear, thoughtful resident agreements so families feel confident in their decisions and facilities can avoid misunderstandings that can lead to unnecessary stress or disputes. When these documents include straightforward explanations of services, responsibilities, and policies, residents and families are better positioned to make informed decisions about the care they deserve.

What is an Admission Agreement?

An admission agreement is a legally binding contract between a healthcare facility and the individual receiving services. It serves as a roadmap, outlining the services to be provided, what the resident can expect from the facility, and what the facility expects from the resident in return. These agreements are essential for:

- Skilled nursing providers and nursing homes
- Short-term rehabilitation centers
- Memory care and specialized clinical programs
- Continuing care retirement communities (CCRCs)

While an assisted living facility also uses residency contracts, those environments are regulated differently. In a healthcare-focused practice, the emphasis remains on the clinical and medical complexities associated with higher levels of care. A well-written agreement allows everyone to fully understand the scope of services, clarify financial obligations, and confirm how the facility handles changes in a resident's medical condition over time.

Key Components to Include in an Admission Agreement

Every healthcare organization operates differently, but a strong agreement should clearly address an individual facility's core issues. To inspire calm and confidence, your agreements include the following detailed sections:

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Description of Services and Types of Care

Families want to know exactly what is included in their daily or monthly rate. Your agreement should detail:

- Specific types of care offered, such as wound care, physical therapy, or palliative care
- Access to 24/7 nursing staff and coordination of medical care
- Medication management support and pharmacy coordination
- Meal services, including dietary accommodations and nutritional support
- Daily life essentials like housekeeping, laundry, and local transportation
- A robust schedule of recreational activities and social programming to support mental well-being

Financial Terms and Payment Obligations

Financial transparency can be the most effective way to reduce family anxiety. Be explicit about:

- Base rates versus additional charges for higher levels of care
- Deposit requirements and refund policies
- Billing schedules and accepted payment methods
- How insurance coordination and Medicare/Medicaid participation rules apply
- Fee adjustments that may occur if a resident's health needs increase

Resident Rights and Responsibilities

Upholding the dignity of the individual is paramount. This section should affirm:

- The right to privacy and participation in care planning
- Access to medical records and the ability to raise concerns without retaliation
- The freedom to receive visitors and maintain a sense of community
- Expectations for the resident, such as providing accurate health information and treating staff respectfully

Care Planning and Changes in Condition

Because healthcare needs are fluid, the agreement must explain the process for:

- How initial assessments and ongoing care plans are developed
- How often the clinical team re-evaluate a resident's needs
- How the facility communicates health changes to families and designated representatives

Legal Requirements and Compliance Considerations When Creating an Admission Agreement

Operating a healthcare facility in Massachusetts means navigating a detailed regulatory framework. Your agreement is a compliance document that must satisfy federal and state agencies. When drafting or reviewing your agreements, keep these legal considerations in mind:

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- **State licensing regulations:** Ensuring the language aligns with the Massachusetts Department of Public Health (DPH) requirements for nursing homes
- **Consumer protection:** Avoiding terms that could be seen as unfair or deceptive under state consumer law
- **Privacy and records:** Adhering to HIPAA and state-specific rules regarding the confidentiality of medical records
- **Medicare/Medicaid rules:** Ensuring that your admission documents comply with specific federal participation requirements that protect resident autonomy if your facility accepts federal funding

Common Mistakes Healthcare Facilities Should Avoid When Making Resident Service Agreements

Even the most experienced administrators can encounter pitfalls. Avoiding these common mistakes can prevent litigation and build stronger relationships with the families you serve.

- **Using overly technical jargon:** If a resident or their family cannot easily understand the document, they cannot make an informed decision. Use plain, human language wherever possible.
- **Vague discharge language:** One of the most sensitive issues in elder law is involuntary discharge. Failing to outline the legally permissible reasons for discharge clearly and the resident's right to appeal is a major risk factor.
- **Inconsistency:** Ensure that the information in your marketing brochures and your website matches exactly what is in the formal contract.
- **Opaque arbitration clauses:** While arbitration clauses can be a helpful tool for dispute resolution, they must be presented clearly and fairly. In Massachusetts, an overly broad or hidden clause can be deemed unenforceable.
- **Outdated templates:** Regulations change. Using a form from several years ago may mean you are missing critical updates regarding resident rights or billing standards.

How a Massachusetts Healthcare Attorney Can Help Protect Your Facility

When you are looking for legal guidance, it is often because you are facing a challenge or a period of transition. We understand that regulatory requirements and contract language can sometimes feel overwhelming, especially when your priority is providing quality care. Our goal is to provide steady, professional reassurance so you can get back to caring for your residents. A Massachusetts healthcare attorney can help protect your facility by:

- **Customizing your admission agreement:** Moving away from generic templates to create a document that reflects your specific policies and clinical strengths
- **Ensuring compliance:** Keeping your facility ahead of shifting federal and state regulations
- **Risk mitigation:** Identifying and correcting language that could lead to disputes regarding fees, transfers, or medical care
- **Clarifying obligations:** Providing clear guidance on complex issues like involuntary

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discharge and the enforceability of arbitration clauses

By taking the time to ensure your admission agreements are thorough, transparent, and legally sound, you are creating a foundation of trust. Clear expectations create a calmer process for everyone involved, allowing your team to focus on providing a dignified, high-quality environment for every resident.

If your organization would like assistance reviewing your current admission documents or drafting a new agreement that reflects current legal standards, contact us to schedule a free case evaluation. We are here to help you navigate the legalities of healthcare with compassion and clarity.

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