



## CITY OF CAMBRIDGE

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June 3, 1991

### M E M O R A N D U M

TO: Robert Healy, City Manager

FROM: Russell Higley, City Solicitor *RBH*

Re: Council Order #15, dated May 13, 1991, re: Consolidation  
of the Somerville-Cambridge Elder Services

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#### I. BACKGROUND

The Somerville-Cambridge Elder Services is a private, non-profit home-care corporation dedicated to providing supportive in-home and social services to senior citizens and their families. Somerville-Cambridge Elder Services, Inc. is one of twenty-seven "home-cares" which provide these services in target areas statewide. Funding is provided by the Federal and State Governments and private donations.

Home-care services are rendered pursuant to the provisions of M.G.L. c. 19A, et seq, which also establishes the Department of Elder Affairs. The department is under the supervision of a secretary appointed by the governor.

## **II. CONSOLIDATION PROPOSAL**

Several months ago, all home care agencies received a letter from Secretary Franklin Ollivierre. The letter informed the agencies that in order to save money, consolidation of the twenty-seven home care twenty was being discussed and a written plan would be submitted for public comment some time in the future.

## **III. STRATEGY**

M.G.L. c. 19A §4 authorizes the Secretary to implement home health care through agencies designated by his department. The Secretary is free to provide those services in the manner authorized by these provisions.

We are informed by Secretary Ollivierre's office that there is no specific proposal to consolidate Cambridge-Somerville with Boston. Apparently, some general language concerning consolidation was included in a submission to the legislature, but there is no plan as of yet. In any event, before any proposed consolidation takes place, there would be significant consolidation and input from affected persons and agencies.

### **A. Grounds for Challenge**

It is difficult to devise a legal strategy to challenge a consolidation that, at least formally, does not exist. The best way to oppose the consolidation is for the local agencies and their constituency to voice their concerns to their legislators.

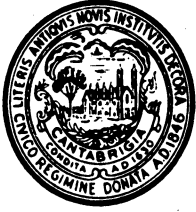
We have been in contact with the Somerville-Cambridge Elder Services who meet with other home care agencies on a monthly basis. They have been made aware of the council's interest in maintaining

the integrity of elder care services and this office's interest in obtaining information on any proposed consolidation. We will continue to monitor the state Office of Elder Affairs, while coordinating our efforts with Cambridge-Somerville Elder Services, Inc. and the Cambridge Council on Aging in order to ensure that the state proposal is not violative of its enabling legislation and/or regulations. Once a plan is proposed, we will be able to outline a definitive position concerning its legality.

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OFFICE OF THE CITY MANAGER



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EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

June 10, 1991

To The Honorable, The City Council:

In reference to Awaiting Report Item No. 40, regarding the consolidation of the Somerville-Cambridge Elder Services, please find attached a response from Russell Higley, City Solicitor, relative to this matter.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mev  
attachment

2. S-780  
CONSENT AGENDA

Communication from Robert W. Healy relative  
to Awaiting Report Item No. 40 regarding  
the consolidation of the Somerville-  
Cambridge Elder Services.

In City Council,

June 10, 1991

*Placed in file*