



Center for Public  
Representation

## Bringing People Home: *The Marsters Settlement*

Newsletter No. 3  
May 2025

In June 2024, the federal district court approved a Settlement Agreement to help thousands of people with disabilities leave nursing facilities and move to homes in the community over the next eight years.

**Highlights from the Agreement:**  
**Preadmission Screening and Resident Review (PASRR)**

### What is PASRR?

PASRR is a federal Medicaid requirement designed to prevent the inappropriate admission of people with mental disabilities to nursing facilities. The law requires that people with a serious mental illness (SMI), intellectual disability (ID), or a developmental disability (DD) must be screened to see if they have a mental disability, and then evaluated to determine if they can be served in the community. If the evaluation finds that the individual can be admitted to a nursing facility, then the evaluation determines if the person needs specialized services in the nursing facility to meet the needs of their unique disability.

### How does it work?

PASRR SMI has a very strict standard—someone must have the right kind of diagnosis, resulting in the right level of impairment, with recent treatment in the last two years. [42 C.F.R. § 483.102](#). Many people who have a mental illness may not meet the definition of PASRR SMI. These people can still get behavioral health care

### People Who Have Come Home



**Sheri Currin, a named plaintiff in the *Marsters v. Healey* lawsuit, has finally come home.** After languishing in a Marlborough nursing facility for almost three years, away from family and friends, Sheri is comfortably settled in her new home in Southborough. Mainly bedridden in a crowded room in the nursing facility, Sheri now enjoys the comfort of her own private bedroom, with furnishings she chose, where she can display family photos and her personal belongings. With assistance, Sheri moves freely in her wheelchair to the home's open and spacious communal areas, including an outdoor patio, which she enjoys with her four housemates. Sheri's greatest joy in her new home is the ability to cook for herself in

in a nursing facility, but they do not have as many options as someone who has PASRR SMI.

the kitchen, something she missed during her years in the nursing facility.

### **What are specialized services?**

If the PASRR evaluation determines that a person with SMI needs behavioral health treatment or other support services, these must be provided in the nursing facility. There are a range of behavioral health special services, like psychotherapy, substance use treatment, and crisis intervention. In addition, there is a new specialized service called Clubhouse, which is provided in the community. It includes social activities, peer support, education, training, and supported employment. Clubhouse providers offer transportation to and from the nursing facility.

### **What does the Marsters Agreement require for people who have SMI?**

People in nursing facilities with PASRR SMI, or a history of PASRR SMI during their current admission, must receive a comprehensive assessment, a detailed service plan, and behavioral health care coordination through **Behavioral Health Community Partners (BH CPs)**.

If someone with PASRR SMI applies for a Medicaid Waiver and is denied because they cannot be safely served in the community, the person will be referred to DMH to see if extra services could help with safety concerns.

### **Spotlight on Appeals: I've been denied for a waiver, now what?**

If you live in a nursing facility and have received a denial for waiver services for any reason, a legal services attorney may be available to help with your appeal. Visit <https://marsters.centerforpublicrep.org/where-to-get-help/> for more information or contact CPR directly.

## **Implementation Update: Year 1, Quarter 3**

After the federal court approved the comprehensive Settlement Agreement in *Marsters v. Healey* on June 18, 2024, the Center for Public Representation (CPR) launched its implementation initiative entitled **Bringing People Home**.

In partnership with the Dignity Alliance, stakeholders, and people with disabilities, CPR organizes workgroup meetings each quarter to hear directly from those with unique expertise and direct knowledge about the current experiences of people in nursing facilities. **Click [here](#) to join a workgroup.**

On April 29, 2025, CPR, its co-counsel, and state officials met for the third quarterly meeting required by the Agreement. Secretaries, Commissioners, and senior staff from all relevant agencies presented status updates on each program required by the **Agreement**.

The Commonwealth shared data showing that **CTLP** teams have conducted over 8,000 visits to nursing facilities to provide in-reach and information, over 600 people with SMI were provided behavioral health care coordination and case management in the last quarter, and 1,134 people have enrolled in the MFP Demonstration since the start of the Agreement in June 2024.

**We encourage anyone interested in this case, and CPR's broader Bringing People Home initiative, to sign up for updates at <https://marsters.centerforpublicrep.org/join-the-listserv/>**



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