



Center for Public
Representation

Bringing People Home: *The Marsters Settlement*

Newsletter No. 4
November 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.

Moving Forward Program-Residential Services (MFP-RS) Waiver Is Full Until April 1, 2026

As of October 1, 2025 the MFP-RS waiver is at capacity for the first time since 2019. 50 new slots will be added on April 1, 2026 as required by the Agreement. The addition of waiver slots in the Agreement was based on best estimates, but clearly underestimated the need for MFP-RS waiver capacity. Given the clear demand, we hope the Commonwealth will expand MFP-RS waiver capacity sooner than April, though we acknowledge the cost of doing so.

If the Commonwealth does not expand the MFP-RS waiver, any new application for this waiver will be automatically denied until April 1, 2026. Applicants should receive a notice stating that their denial is due to lack of capacity and an accompanying resource sheet. A capacity denial is issued before any eligibility determination is ever made, so applicants will have to re-apply on April 1 and then may still receive another denial based on eligibility factors, such as length of stay, financial, clinical, and safety criteria.

We encourage applicants and their supporters to explore all available community alternatives for transition! Other community service options that

People Who Have Come Home



Richard Caouette, a U.S. Army veteran and named plaintiff in *Marsters v. Healey*, has finally returned home. After suffering a stroke in 2020, Richard endured five years in a Worcester nursing facility where he shared a small room with little natural light and a large amount of unstructured time. He spent his days walking the hallways, watching television, or sleeping. As he put it, "For me, living in a nursing home is like living under martial law."

Approved for the MFP-RS waiver program, Richard moved in July to his new home in Northborough which he describes as, "Way better!" Now, he enjoys the

are available include the non-residential waivers (MFP-CL, Frail Elder Waiver, ABI-NS), PCA services, home modifications, older adult and mental health community services, and other community supports. CTLP, MFP Demo liaisons, MassAbility care coordinators, BH CPs, and DMH case managers can explain the MFP-CL waiver and other alternatives so that people can continue to leave nursing facilities even with the MFP-RS waiver at capacity.

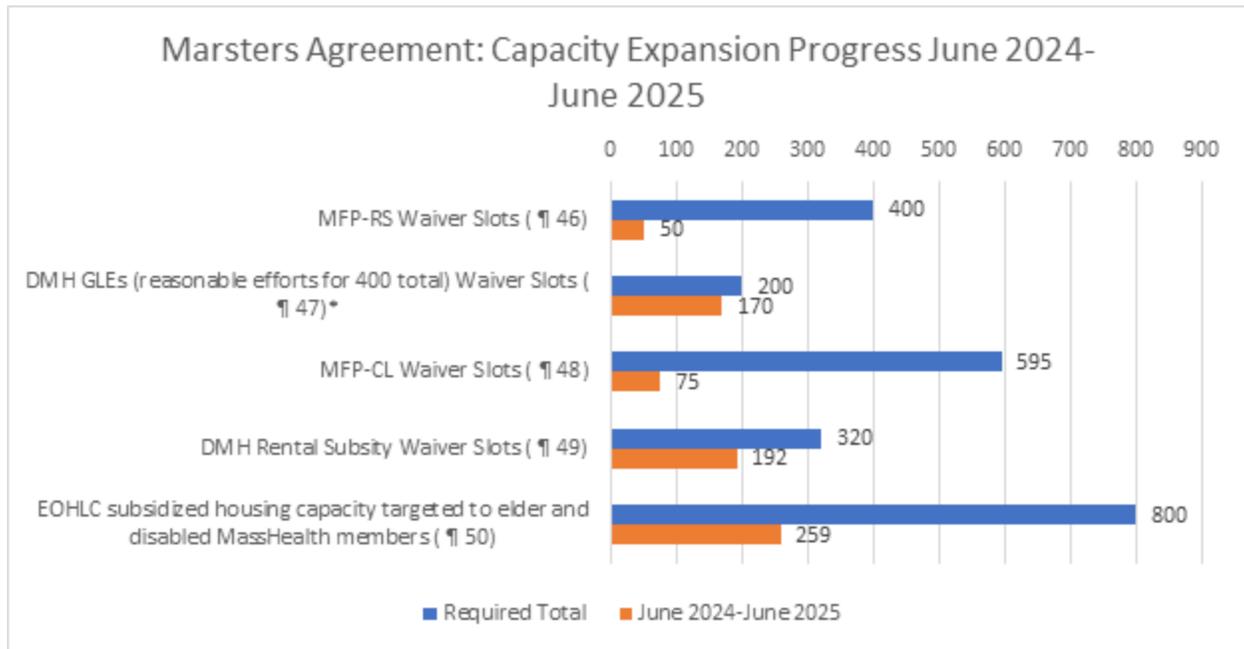
privacy of his own bedroom and the chance to take part in daily activities he had long been denied—engaging with his two housemates, playing games, and menu planning.

Implementation Update: Year 1, Quarter 4—The First Year

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.

Year 1 Data: The State had not completely tabulated the annual transition data, but did provide general capacity expansion data. In addition to data elements required by the Agreement, the State is interested in showing agency collaboration and transitions for people who are not included in the Marsters class, such as individuals who are not Medicaid-eligible or who reside in nursing facilities for less than 60 days, in part to demonstrate the effectiveness of CTLP. The State provided a capacity expansion update showing that progress in achieving metrics required by the Agreement is generally on track.



* The 170 DMH GLEs currently includes Supported Independent Environments (SIEs) which are not referenced in this provision and probably are not properly countable.

New rental subsidies and housing slots from DMH and EOHLC all met required metrics for this year, though current funding limitation will definitely present challenges with capacity expansion moving forward. Specifically, neither DMH nor EOHLC will have any funding for new housing subsidies and DMH will not even be able to fill vacancies in existing subsidized units next year.

Quarterly Data: Data for the first quarter of year 2 shows similar trends to year 1. We continue to closely monitor a number of behavioral health related metrics and look forward to seeing whether new strategies from the Commonwealth lead to improved outcomes. The use of behavioral health services in nursing facilities, including the identification of those with behavioral health needs and PASRR SMI, rates of Clubhouse use, and BH CP engagement remain low. Waiver denials for inability to be safely served in the community remain high.

**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/>**



For more information, contact us!
Phone: 413-586-6024, press '2'
Email: bringingpeoplehome@cpr-ma.org
Website: <https://marsters.centerforpublicrep.org/>
Stay up to date and join the listserv!

[PDF version available here.](#)

Center for Public Representation

5 Ferry Street, #314 | Easthampton, Massachusetts 01027
413-586-6024 | communications@cpr-ma.org

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