HOUSE DOCKET, NO. 804 FILED ON: 1/19/2011

HOUSE . . . . . No. 55

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act providing for the public disclosure of quality indicators for persons with developmental disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
George T. Ross	*2nd Bristol*

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HOUSE . . . . . No. 55

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 55) of Kay Khan and George T. Ross relative to public disclosure of quality indicators for the developmentally disabled. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *185* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act providing for the public disclosure of quality indicators for persons with developmental disabilities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 2 of chapter 19B, as appearing in the 2008 Official Edition, is hereby amended by inserting a new paragraph after paragraph 4 as follows:-

"At the end of each fiscal year, the commissioner shall make a document, which shall also be

placed on the commonwealth's official website in a format which is retrievable and printable,

that contains the information obtained pursuant to paragraph 9 of section 13 of this

chapter or provide links to this information if already posted on another website."

SECTION 2. Section 13 of chapter 19B, as appearing in the 2008 Official Edition, is hereby amended by inserting 2 new paragraphs after paragraph 5 as follows:-

"Notwithstanding any provision of law to the contrary, on or before March 31, 2012 and thereafter each year on or before March 31, all private agencies, group care facilities as defined in section 9 of chapter 28A and group residences as defined in section 1 of chapter 143, as a condition of their contracts for services, shall provide in a format determined by the department

15 the following information: identifying information, including official name, provider state
16 identification number, name of contact person, business address and telephone; financial
17 information including the total annual operating budget which shall set forth annual expenditures
18 for personnel, administrative, and equipment expenses; personnel compensation information
19 which shall include the average annual wage or salary of direct care and professional staff and
20 the average percentage increase over the previous year's average, a list of the 5 highest salaries
21 or wages and the percentage increase over the previous year's wages or salaries; the number of
22 employees on industrial accident leave during the preceding calendar year; service quality
23 information which shall include the level of licensure and certification and by whom granted, the
24 turnover rate, which shall be defined as the percentage of positions in the agency which were
25 vacated during the preceding calendar year, the number of abuse and neglect claims substantiated
26 by the private agency, the department or the disabled persons protection commission during the
27 preceding calendar year, the numbers and types of medication errors, the number of incident
28 reports filed by the agency with the department, all information gathered through Quality
29 Enhancement Survey Tool (QUEST) and Individual Support Services Tool (ISST) reporting;
30 and, programmatic information including the number of agency consumers who, during the
31 preceding calendar year, have moved from an agency residence to a private residence and the
32 agency's plans, if any, with respect to self-directed services, the number of consumers in
33 sheltered workshops, and the number of consumers who moved during the preceding calendar
34 year from sheltered workshops to supported employment. When necessary, as applied to publicly
35 operated programs, the information may be listed by area and region.

36 In the event the department determines that a private agency has failed to furnish the
37 information required by this section, it may withhold payments due to the agency pending receipt
38 of the required information, impose a penalty and/or make the agency's non-compliance a
39 consideration in future contract awards."

40 SECTION 3. This act shall cover privately and publicly-operated programs for the
41 developmentally disabled.