

SENATE No. 527

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas P. Kennedy

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 adoption of the accompanying bill:

An Act to provide personal care attendant orientation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Thomas P. Kennedy</i>	<i>Second Plymouth and Bristol</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>
<i>James T. Welch</i>	<i>Hampden</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Brian R. Mannal</i>	<i>2nd Barnstable</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>
<i>Michael R. Knapik</i>	<i>Second Hampden and Hampshire</i>
<i>Barry R. Finegold</i>	<i>Second Essex and Middlesex</i>

SENATE No. 527

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 527) of Thomas P. Kennedy, Kay Khan, Sal N. DiDomenico, Gale D. Candaras and other members of the General Court for legislation to provide personal care attendant orientation . Health Care Financing.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to provide personal care attendant orientation.

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

1 SECTION 1. Subsection (b) of section 74 of chapter 118E of the General Laws is hereby
2 amended in line 10 by inserting after the words “determined by the council” the following:-

3 An orientation shall be completed by all personal care attendants hired on or after January
4 1, 2014 within six months of the date of initial employment as a personal care attendant.

5 The council shall work jointly with interested stakeholders to establish the curriculum,
6 standards and processes of an orientation program for persons newly hired as personal care
7 attendants. The orientation program shall be offered at multiple locations across the
8 Commonwealth and shall include training on independent living principles, identifying and
9 reporting fraud and abuse, and workers’ rights and responsibilities. The orientation shall require
10 no more than three hours to complete.

11 The council shall also establish procedures for consumers to opt-out of the council
12 orientation, provided that a similar orientation is otherwise offered. However, even if the
13 consumer chooses to opt-out, all personal care attendants still shall retain the right to choose to
14 also attend a council orientation.

15 Nothing in this section shall be deemed to affect the personal care attendant program
16 principles of consumer control, including the consumer’s right to hire, train, direct, and dismiss
17 personal care attendants.