

1 **SECTION 4.** The first paragraph of section 184A of chapter 6 of the General Laws, as appearing
2 in the 2012 Official Edition, is hereby amended by striking out the second sentence and inserting
3 in place thereof the following sentence:-

4 The board shall consist of the undersecretary of forensic science and technology, who shall serve
5 as chair; the attorney general, or a designee; the colonel of the state police, or a designee; the
6 president of the Massachusetts Chiefs of Police Association, or a designee; the president of the
7 Western Massachusetts Chiefs of Police Association, or a designee; the president of the
8 Massachusetts District Attorney's Association, or a designee; a district attorney designated by
9 the Massachusetts District Attorney's Association; the commissioner of the department of public
10 health, or a designee; 3 scientists, appointed by the governor, experienced in delivery,
11 management or oversight of scientific services, 1 of whom shall be a forensic scientist with
12 practical experience in an accredited crime lab, 1 of whom shall have a specialty in the natural or
13 biological sciences and 1 of whom shall have a specialty in the physical sciences; and 2
14 members of the bar with experience in criminal practice and forensic science issues, 1 each to be
15 appointed on recommendation of the Massachusetts Bar Association and the Boston Bar
16 Association.

17 **SECTION 5.** Chapter 6 of the General Laws is hereby amended by inserting after section 216
18 the following section:-

19 Section 217. (a) There shall be a council to be known as the science, technology,
20 engineering and math, or STEM, advisory council. The council shall advise the governor and
21 assist in informing the work of the secretaries of education, labor and workforce development
22 and housing and economic development on issues relating to STEM education and STEM
23 careers in the commonwealth.

24 (b) The council shall:

25 (1) confer with participants and parties from the public and private sector involved with
26 STEM planning and programming;

27 (2) assess how to increase student interest in, and preparation for, careers in STEM; and

28 (3) advise on the creation, implementation of and updates to a statewide STEM plan that
29 contains clear goals and objectives to guide the commonwealth's future STEM efforts,
30 including the creation of benchmarks for improvements.

31 (c) The council shall consist of not less than 20 members and not more than 30 members, not
32 including members serving ex officio. The members of the council shall be appointed by the
33 governor for a term of 2 years and shall serve without compensation. Council members shall be
34 persons with demonstrated interest, experience and expertise in STEM education and shall
35 include: a senator in congress representing Massachusetts; a representative in congress

36 representing Massachusetts; a member from the Massachusetts Technology Collaborative; a
37 member from the Massachusetts Clean Energy Center; a member from the Massachusetts Life
38 Sciences Center; the president of the University of Massachusetts, or a designee; a president of a
39 state university, or a designee; a president of a private university, or a designee; a president of a
40 public community college, or a designee; a superintendent of a public school district, or a
41 designee; a superintendent of a vocational technical school, or a designee; a chamber of
42 commerce executive, or a designee; a representative of a regional STEM network; an early
43 education provider; a science or mathematics department chair from a public school district; an
44 out-of-school time or informal educator with expertise in the STEM fields; a parent
45 representative; a member of organized labor; and a member from a not-for-profit organization.
46 The following members shall also serve as members of the council, ex officio: the chairs of the
47 joint committee on education; the chairs of the joint committee on labor and workforce
48 development; the secretary of education; the secretary of labor and workforce development; the
49 secretary of housing and economic development; the commissioner of higher education; the
50 commissioner of elementary and secondary education; and the commissioner of early education
51 and care. All ex officio members may be represented by designees.

52 (d) The council shall establish an executive committee comprised of 7 members who shall
53 provide guidance on the recommendations of the council and plan future meetings and
54 initiatives. The chair shall determine the membership of the executive committee and shall
55 designate subcommittees to focus on particular challenges facing STEM education and the
56 STEM fields in the commonwealth. The council and its executive committee shall meet at such
57 times and places as determined by the chair. The council shall report any findings or
58 recommendations, including any recommendations for legislation or regulations, to the governor
59 and to the clerks of the house of representatives and senate at such periods as determined by the
60 chair.

61 **SECTION 6.** Section 16 of chapter 6A of the General Laws, as appearing in the 2012 Official
62 Edition, is hereby amended by striking out, in lines 31 to 35, inclusive, the words “, the
63 Massachusetts commission for the deaf and hard of hearing and the Soldiers’ Home in
64 Massachusetts and the Soldiers’ Home in Holyoke; (5) the department of veterans’ services
65 under the direction of the secretary of veterans’ services, who shall be appointed by the
66 governor” and inserting in place thereof the following words:- and the Massachusetts
67 commission for the deaf and hard of hearing; (5) the department of veterans’ services under the
68 direction of the secretary of veterans’ services, who shall be appointed by the governor, which
69 shall include the Soldiers’ Home in Massachusetts and the Soldiers’ Home in Holyoke.

70 **SECTION 7.** Section 4A of chapter 7 of the General Laws, as so appearing, is hereby amended
71 by striking out the first paragraph and inserting in place thereof the following paragraph:-

72 The executive office for administration and finance shall include a division of capital asset
73 management and maintenance, which shall be headed by a commissioner as provided in chapter
74 7C, the Massachusetts office of information technology, which shall be headed by a chief
75 information officer as provided in chapter 7D, a department of revenue, as provided in chapter
76 14, and an office of commonwealth performance, accountability and transparency. The
77 executive office for administration and finance shall include the human resources division and

78 the operational services division. The divisions, the offices and the department shall develop
79 policies and standards to govern the conduct of commonwealth secretariats, departments,
80 agencies, boards and commissions in each of these areas, and shall provide expertise and
81 centralized processing to secretariats, departments, agencies, boards, commissions and other
82 entities of state government.

83 **SECTION 8.** Said section 4A of said chapter 7, as so appearing, is hereby further amended by
84 striking out paragraph (d).

85 **SECTION 9.** Chapter 7C of the General Laws is hereby amended by inserting after section 35
86 the following section:-

87 Section 35A. (a) The commissioner, after consulting with the head of the leasing state agency
88 or the court administrator of the trial court, may exercise any contractual right to terminate a
89 lease for nonappropriation or nonallotment if, in the determination of the agency head or the
90 court administrator, insufficient funds are available within the agency's or the court's
91 appropriation or allotment to maintain the lease consistent with maintaining core governmental
92 functions.

93 (b) The commissioner may, on behalf of any state agency or the administrative office of the
94 trial court, renegotiate any existing facilities lease of that agency or office, which was procured
95 under this chapter, to obtain a reduced lease rate or other valuable consideration in consideration
96 of an extension of any such lease for a period of time beyond the 10-year limitation provided in
97 section 35; provided that no lease shall be extended to a date that is more than 15 years after the
98 original commencement date of the lease. The commissioner shall first make a written
99 determination that the renegotiated lease provisions of each renegotiated lease are favorable to
100 the commonwealth based on a cost-benefits analysis.

101 **SECTION 10.** The General Laws are hereby amended by inserting after chapter 7C the
102 following chapter:-

103 CHAPTER 7D.

104 MASSACHUSETTS OFFICE OF INFORMATION TECHNOLOGY

105 Section 1. As used in this chapter, the following words shall, unless the context clearly
106 requires otherwise, have the following meanings:-

107 "Chief Information Officer" or "CIO", the chief information officer of the Massachusetts
108 office of information technology.

109 "Director", the director of information technology of an executive office established pursuant
110 to section 2 of chapter 6A.

111 "Deputy director", the director of information technology of a state agency.

112 “Information technology” or “IT”, hardware, software, telecommunications equipment and
113 related services designed for the storage, manipulation and retrieval of data by electronic or
114 mechanical means, including, but not limited to, personal computers, mainframes, wide and local
115 area networks, servers, mobile or portable computers, peripheral equipment, telephones, wireless
116 communications, handheld devices, cloud-based application and platform services, public safety
117 radio services, facsimile machines, data centers, dedicated training facilities and switching
118 facilities.

119 “Office”, the Massachusetts office of information technology.

120 “State agency”, a legal entity of state government established by the general court as an
121 agency, board, bureau, commission, council, department, office or division of the commonwealth
122 with a specific mission, which is subject to the control of the governor or whose administration
123 has been solely appointed by the governor.

124 Section 2. There shall be a Massachusetts office of information technology within the
125 executive office for administration and finance. The office shall be administered by the chief
126 information officer who shall be appointed by the secretary of administration and finance, with
127 the approval of the governor, who shall serve as the chief information officer of the
128 commonwealth and shall supervise all IT services of state agencies. All state agencies engaged
129 in activities concerning information technology shall coordinate with the office on matters
130 pertaining to contracting, operations, risk assessment, hiring, project management and
131 procurement.

132 Section 3. The office shall have all powers necessary or convenient to carry out its duties,
133 including, but not limited to, the power to:

134 (1) establish bureaus and other functional units within the office and hire employees;

135 (2) coordinate and centralize the management and operation of IT functions within state
136 agencies;

137 (3) coordinate with and provide assistance, advice and expertise in connection with business
138 relationships between state agencies and private sector providers of information technology;

139 (4) eliminate, where appropriate, duplication of duties and functions among IT personnel
140 within state agencies;

141 (5) monitor trends and advances in information technology resources;

142 (6) oversee and supervise the maintenance of information technology and the initiation of
143 information technology updates or projects for state agencies;

144 (7) initiate procurements of information technology resources for state agencies and enter
145 into an agreement or contract in connection with such procurement on behalf of a state agency or
146 other political subdivision of the commonwealth, if so authorized;

147 (8) maintain a grant information page on the commonwealth's official website;

148 (9) review and approve the information technology budget requests of a state agency and, in
149 consultation with the directors, designate a state agency's IT spending priorities;

150 (10) implement standards for product or service specifications, characteristics or performance
151 requirements of IT resources that increase efficiency and improve security and identify
152 opportunities for cost savings within state agencies based on such standardization; and

153 (11) establish special requirements for vendors of IT services to state agencies.

154 Section 4. There shall be a bureau of information security within the office under the
155 supervision of a chief security officer who has an expertise in security and risk management for
156 communications and information resources. The chief security officer shall advise the CIO on
157 preventing data loss and fraud and protecting privacy.

158 Section 5. There shall be a bureau of geographic information within the office which shall
159 develop, maintain, update and distribute geographic information, technology, data and services
160 for use by state agencies, municipalities and the public. The office shall coordinate all
161 geographic information activities in state and local government, and shall collect, manage and
162 distribute geographic information maintained by state agencies and local government agencies. It
163 shall also provide technical services related to geographic information to state agencies and
164 municipalities. The CIO shall set standards for the acquisition, management and reporting of
165 geographical information, and the acquisition, creation or use of applications employing such
166 information, by any state agency, and the reporting of such information by municipalities.

167 Section 6. (a) The secretary of each executive office established pursuant to section 2 of
168 chapter 6A shall, in consultation with and approval by the CIO, appoint a director of information
169 technology of the executive office, who shall report directly to the secretary and the CIO, and
170 manage all information technology operations within the executive office and supervise all
171 information technology personnel. Each director shall be responsible for evaluating the present
172 and future information technology needs of agencies within their respective executive offices. A
173 director, in consultation with and approval by the CIO, may designate a deputy director of
174 information technology for an agency within their executive office.

175 (b) The CIO and the director shall jointly identify the positions and functions affiliated with
176 the management and administration of an executive office's information technology resources
177 and enterprises that shall be centralized within the executive office. Each director shall develop
178 an IT strategic plan for the executive office that shall be approved by the CIO that sets forth: (i)
179 operational and project priorities; (ii) budgets; (iii) planned procurements; (iv) efficiency goals;
180 (v) security initiatives; and (vi) staffing plans.

181 (c) The CIO shall hold quarterly meetings with all directors and shall conduct annual
182 compliance reviews across the executive offices to ensure full compliance with statutes,

183 regulations, policies, standards and contractual obligations related to information technology and
184 security.

185 Section 7. (a) The CIO, in consultation with the operational services division, shall
186 determine and set a minimum threshold where any proposed IT expenditure by a state agency
187 shall be reviewed and approved by the office. The CIO may suspend an expenditure related to
188 IT until approval has been granted by the office.

189 (b) All contracts for IT shall require the approval of the CIO. The CIO may negotiate state
190 agency IT contracts and amendments to existing contracts entered into by a state agency for
191 information technology services in order to expand the scope of the contract, extend the term of
192 the contract, improve delivery of services under the contract, or to safeguard information from
193 threats to cyber security. The office shall review long-term contracts for information technology
194 services on a quarterly basis to ensure that services delivered pursuant to the contract are
195 provided in a timely and cost-effective manner to the commonwealth. If a determination is made
196 that information technology services under the contract could be improved, the office shall
197 consult and negotiate with each agency and contractor who is a party to the existing contract to
198 obtain terms and conditions more favorable to the commonwealth.

199 (c) For IT projects that exceed \$20,000,000, are self-financing or present a unique set of
200 challenges due to interagency collaboration, federal participation or private investment, the CIO
201 shall establish a project oversight committee that shall develop criteria and benchmarks to
202 evaluate the project and advise the CIO as to whether the project is accomplishing its objectives.
203 A committee established pursuant to this section may include members from the private sector;
204 provided, however, that members have no financial interest in the project overseen by the
205 committee.

206 Section 8. Through inter-agency service agreements, the office may consult and provide
207 services to municipalities, constitutional officers, the judiciary, the legislature, institutions of
208 higher education, authorities, quasi-public corporations and other political subdivisions of the
209 commonwealth as well as other states of the United States where the provision of these services
210 to other states will decrease the costs or improve the efficiency of the service provided by the
211 office to the commonwealth. The office shall consult with the division of local services of the
212 department of revenue to identify ways to better assist municipalities and regional entities in
213 procuring and developing information technology services.

214 Section 9. The office shall develop a statewide information technology plan that shall
215 identify the immediate needs of information technology among state agencies as well as long-
216 term investments in information technology that should be considered by the commonwealth.
217 The plan shall be updated annually and shall be published on the website of the commonwealth.

218 **SECTION 11.** Section 4A of chapter 15A of the General Laws is hereby repealed.

219 **SECTION 12.** Section 18 of chapter 17 of the General Laws, as appearing in the 2012 Official
220 Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the
221 following subsection:-

222 (b) The bureau shall establish and advertise a free, anonymous and confidential toll-free
223 telephone helpline that provides comprehensive, accurate and current information and referrals
224 related to addiction treatment, prevention services, alcohol and drug free housing and certified
225 alcohol and drug free housing, as defined under section 18A. The administration of the helpline
226 shall be coordinated with other departments and agencies to prevent the duplication of similar
227 services. The operation of the helpline may be contracted to third parties; provided, however,
228 that any such contracts shall be performance-based and subject to the approval of the
229 commissioner.

230 **SECTION 13.** Chapter 17 of the General Laws is hereby amended by inserting after section 18
231 the following section:-

232 Section 18A. (a) As used in this section, the following words shall, unless the context clearly
233 requires otherwise, have the following meanings:-

234 “Alcohol and drug free housing”, a residence, commonly known as a sober home, that
235 provides or advertises as providing, an alcohol and drug free environment for people who are
236 recovering from substance use disorders, but does not provide treatment as a licensed halfway
237 house, treatment unit or detoxification facility licensed pursuant to sections 6 and 7, inclusive, of
238 chapter 111E or any other facility licensed pursuant to section 7 of said chapter 111E.

239 “Bureau”, the bureau of substance abuse services established in section 18.

240 “Certified alcohol and drug free housing”, alcohol and drug free housing that has been
241 accredited by the bureau pursuant to this section.

242 “Director”, the director of the bureau of substance abuse services.

243 “Operator”, the lawful owner of an alcohol and drug free housing residence, or a person
244 employed and designated by the owner to have primary responsibility for the daily operation of
245 the residence, and for maintaining standards and conditions within the residence that create an
246 environment supportive of substance abuse recovery.

247 (b) The bureau shall establish and provide for the administration of a voluntary training and
248 accreditation program for operators of alcohol and drug free housing seeking certification under
249 subsection (d).

250 (c) The accreditation program established under this section shall maintain nationally
251 recognized standards and practices that:

252 (1) uphold industry best practices and support a safe, healthy and effective recovery
253 environment;

254 (2) evaluate the ability to assist persons in achieving long-term recovery goals;

255 (3) provide for appropriate training for the operators and staff, and ensure satisfactory
256 completion of said training;

257 (4) protect occupants of alcohol and drug free housing against unreasonable and unfair
258 practices in setting and collecting rent payments; and

259 (5) verify good standing with regard to local, state and federal laws, regulations and
260 ordinances, including, but not limited to, building, maximum occupancy, fire safety and
261 sanitation codes.

262 (d) The bureau shall include a residence on a list of certified alcohol and drug free housing as
263 described in subsection (f) upon receipt and review of the following:

264 (1) completion of training as described in subsection (c);

265 (2) a deed, trust documents, articles of incorporation, leases or other documents
266 acceptable to the director evidencing that the individual or entity seeking certification is the
267 lawful owner or lessee of the parcel of real estate where the housing is located or is planned to be
268 located; and

269 (3) a certificate issued pursuant to section 23 of chapter 60 proving that there are no taxes
270 or other assessments that at the time constitute liens on the parcel of real estate upon which the
271 housing is located or is planned to be located.

272 (e) The director shall periodically evaluate the quality of training being provided to operators
273 seeking certification and the integrity and efficacy of the accreditation program.

274 (f) The bureau shall prepare, publish and disseminate a list of alcohol and drug free housing
275 certified pursuant to this section, provided that the list shall be updated bimonthly. The list shall
276 be disseminated to the director of the division of drug rehabilitation established in chapter 111E,
277 all state agencies and any vendor that has received a statewide contract. The commissioner of
278 probation shall inform all district and superior court probation officers, and the chief justice of
279 the trial court shall inform all district and superior court judges within the commonwealth, of
280 how to access the list.

281 (g) The department, in consultation with the bureau, shall promulgate rules and regulations to
282 implement this section that shall include a process for receiving complaints against certified
283 alcohol and drug free housing, and criteria by which the director may exclude a residence from
284 the list prepared under subsection (f) if the frequency and severity of complaints received
285 supports a determination that the alcohol and drug free housing in question does not maintain
286 standards or provide an environment that appropriately supports the recovery goals of its
287 residents.

288 (h) A state agency or vendor with a statewide contract that is providing treatment or services
289 to a person, or a state agency or officer setting terms and conditions for the release, parole, or
290 discharge of a person from custody or treatment, shall not refer that person to alcohol and drug

291 free housing, or otherwise include in said terms and conditions, a referral to alcohol and drug
292 free housing, unless the alcohol and drug free housing is certified pursuant to this section;
293 provided, however, that nothing in this section shall prohibit a residence that has not received
294 certification from operating or advertising as alcohol and drug free housing, or from offering
295 residence to persons recovering from substance use disorders.

296 **SECTION 14.** Section 19 of chapter 17 of the General Laws, as appearing in the 2012 Official
297 Edition, is hereby amended by adding the following sentence:-

298 A discharge plan shall not include a referral or recommendation to alcohol and drug free housing
299 unless such housing is certified pursuant to section 18A.

300 **SECTION 15.** Section 7 of chapter 18B of the General Laws, as so appearing, is hereby
301 amended by inserting after subsection (n) the following subsection:-

302 (o) The commissioner shall require all social workers employed by the department to obtain a
303 license as a certified social worker, pursuant to section 131 of chapter 112, within the first 3
304 years of employment. The commissioner shall require social workers employed by the
305 department to participate in no less than 30 hours per year of paid professional development
306 training; provided, that such training is consistent with applicable collective bargaining
307 agreements.

308 **SECTION 16.** Section 3 of chapter 23K of the General Laws, as so appearing, is hereby
309 amended by inserting after subsection (x) the following subsection:-

310 (y) The commission shall establish a comprehensive employee accountability and internal
311 control system that closely aligns with the human resources division's rules and policies for
312 unclassified employees and managers established pursuant to section 28 of chapter 7. The
313 system shall take into account rates set by the United States General Services Administration for
314 similar services when determining the maximum reimbursable rate and shall include specific
315 policies related to travel expenses and meal reimbursement including a requirement that the
316 commission shall not reimburse employees for alcoholic beverages.

317 **SECTION 17.** Section 2H of chapter 29 of the General Laws, as so appearing, is hereby
318 amended by inserting after the word "section", in line 40, the following words:- , but only to the
319 extent that the total of all such 1-time settlements and judgments exceeds the average of such
320 total for the 5 fiscal years preceding the immediately preceding fiscal year, as determined by the
321 secretary of administration and finance.

322 **SECTION 18.** Said section 2H of said chapter 29, as so appearing, is hereby further amended by
323 adding the following sentence:-

324 A constitutional office in receipt of such a non-tax 1-time settlement or judgment shall notify the
325 attorney general not later than 10 days after receipt of such settlement or judgment.

326 **SECTION 19.** Chapter 29 of the General Laws is hereby amended by inserting after section 13
327 the following section:-

328 Section 13A. Notwithstanding any general or special law to the contrary, upon receiving a
329 written request from the secretary, the comptroller shall transfer to the General Fund all or part
330 of the unexpended balance of a fund, trust fund or other separate account, whether established
331 administratively or by law, including a separate account established by section 6 of chapter 6A.
332 The secretary and comptroller shall report to the house and senate committees on ways and
333 means 45 days before any such transfer. The request shall certify that the secretary, in
334 consultation with the comptroller, has determined that this balance, or the specified part of it, is
335 not necessary for the purposes for which it was made available.

336 **SECTION 20.** Subsection (a) of section 2MMM of chapter 29 of the General Laws, as
337 appearing in the 2012 Official Edition, is hereby amended by striking out the last 2 sentences and
338 inserting in place thereof the following 2 sentences:-

339 The department of higher education shall hold the Pipeline Fund in an account or accounts
340 separate from other funds or accounts. Amounts credited to the Pipeline Fund shall be used by
341 the commissioner of higher education, in consultation with the STEM advisory council,
342 established pursuant to section 217 of chapter 6, in this section, referred to as "the council".

343 **SECTION 21.** Said section 2MMM of said chapter 29, as so appearing, is hereby further
344 amended by striking out, in line 76, the word "chancellor" and inserting in place thereof the
345 following word:- commissioner.

346 **SECTION 22.** Said section 2MMM of said chapter 29, as so appearing, is hereby further
347 amended by striking out, in line 83, the word "chancellor" and inserting in place thereof the
348 following word:- commissioner.

349 **SECTION 23.** Section 2HHHH of said chapter 29, as amended by section 6 of chapter 77 of the
350 acts of 2013, is hereby amended by striking out, in the first paragraph, the words "and section
351 38R of chapter 71" and inserting in place thereof the following words:- , section 38R of chapter
352 71 and section 26A of chapter 119.

353 **SECTION 24.** Said section 2HHHH of said chapter 29, as so amended, is hereby further
354 amended by striking out, in the second paragraph, the words "and said section 38R of said
355 chapter 71" and inserting in place thereof the following words:- , said section 38R of said chapter
356 71 and said section 26A of said chapter 119.

357 **SECTION 25.** Section 2JJJJ of said chapter 29, as inserted by section 42 of chapter 38 of the
358 acts of 2013, is hereby amended by inserting after the first sentence the following sentence:-

359 The fund shall be administered by the secretary of public safety and security.

360 **SECTION 26.** Chapter 29D of the General Laws is hereby repealed.

361 **SECTION 27.** Section 22C of chapter 32 of the General Laws, as appearing in the 2012 Official
362 Edition, is hereby amended by striking out, in lines 60 to 61, the words "\$1,727,000,000 in fiscal
363 year 2015, \$1,831,000,000 in fiscal year 2016 and \$1,941,000,000" and inserting in place thereof
364 the following words:- \$1,793,000,000 in fiscal year 2015, \$1,972,000,000 in fiscal year 2016 and
365 \$2,169,000,000.

366 **SECTION 28.** Paragraph (a) of section 24 of chapter 32A of the General Laws, as amended by
367 section 7 of chapter 36 of the acts of 2013, is hereby further amended by striking out the words
368 "Health Care Security Trust board of trustees established in section 4 of chapter 29D" and
369 inserting in place thereof the following words:- State Retiree Benefits Trust Fund board of
370 trustees established in section 24A.

371 **SECTION 29.** Said section 24 of said chapter 32A, as so appearing, is hereby further amended
372 by adding the following 2 paragraphs:-

373 (i) All transactions affecting the fund including, but not limited to, all amounts credited to
374 and all expenditures, transfers or allocations made from the fund, shall be recorded by subsidiary
375 on the Massachusetts management accounting and reporting system.

376 (j) The fund shall be classified by the comptroller as a nonbudgeted fund of the
377 commonwealth. Amounts credited to the fund, including both principal and earnings, shall not be
378 subject to the calculation of the consolidated net surplus under sections 2H and 5C of chapter 29.

379 **SECTION 30.** Said chapter 32A of the General Laws is hereby further amended by inserting
380 after section 24 the following section:-

381 Section 24A. (a) The State Retiree Benefits Trust Fund shall be managed by a board to be
382 known as the State Retiree Benefits Trust Fund board of trustees, which shall have general
383 supervision of the trust. The duties and obligations of the board shall be set forth in a declaration
384 of trust to be adopted by the board. The declaration of trust and any amendments to it shall be
385 filed with the general court; provided, however, that if the general court takes no final action on
386 the declaration or any amendments to it within 60 days of the date of the filing of the declaration
387 or the amendments with the clerk of the house of representatives and the clerk of the senate, the
388 declaration or amendments shall be considered to be approved.

389 (b) The board of trustees shall consist of 7 trustees, including the secretary of administration
390 and finance or a designee, the executive director of the group insurance commission or a
391 designee, the executive director of the public employee retirement administration commission or
392 a designee, the state treasurer or a designee, the comptroller or a designee and 2 additional
393 trustees, 1 of whom shall be appointed by the governor and 1 of whom shall be appointed by the
394 state treasurer. The appointed trustees shall serve for terms of 5 years and shall be experienced in
395 the field of investment, financial management, law and public management. Trustees shall be
396 eligible for reappointment. The members of the board shall elect 1 of the trustees to serve as the
397 chair.

398 (c) A trustee shall disclose in advance to the board any interest or involvement in any matter
399 that is before the board. The disclosure shall be contemporaneously recorded in the minutes of
400 the board. A trustee having such an interest or involvement shall not participate in any such
401 matter.

402 (d) The board may select an executive director who shall serve at the pleasure of the board.
403 Sections 9A, 45, 46 and 46C of chapter 30, chapter 31 and chapter 150E shall not apply to the
404 executive director or any other employees of the board. The executive director shall, with the
405 approval of the board: (i) plan, direct, coordinate and execute administrative and investment
406 functions in conformity with the policies and directives of the board; (ii) employ professional
407 and clerical staff as necessary; (iii) report to the board on all operations under the director's
408 control and supervision; (iv) prepare an annual budget and manage the administrative expenses
409 of the trust; and (v) undertake any other activities necessary to implement the powers and duties
410 set forth in this section. If the board does not select an executive director, the chair shall perform
411 all duties and functions of the executive director set forth in this section, or with the approval of
412 the board, the chair may delegate duties to others.

413 (e) In addition to the other powers and duties defined in this section, the board shall approve
414 or ratify decisions of the executive director, formulate policies and procedures considered
415 necessary and appropriate to carry out the purposes of the trust, maintain a record of its
416 proceedings and undertake any other activities necessary to implement the duties and powers set
417 forth in this section.

418 (f) All records of the trust, including the transactions of the trust fund, shall be a public
419 record as defined in clause Twenty-sixth of section 7 of chapter 4.

420 (g) In any civil action brought against a trustee or employee of the State Retiree Benefits
421 Trust Fund, acting within the scope of the trustee's or employee's official duties, the defense or
422 settlement of which is made by the attorney general or by an attorney employed by the board, the
423 trustee or employee shall be indemnified for all expenses incurred in the defense of the action
424 and shall be indemnified for damages to the same extent as provided for public employees in
425 chapter 258. No trustee or employee shall be indemnified for expenses in an action or damages
426 awarded in an action in which there is shown to be a breach of fiduciary duty, an act of willful
427 dishonesty or an intentional violation of law by the trustee or employee.

428 **SECTION 31.** Section 20 of chapter 32B of the General Laws, as appearing in the 2012 Official
429 Edition, is hereby amended by striking out, in lines 15, 20, 21 and 44, the words "Health Care
430 Security Trust" and inserting in place thereof, in each instance, the following words:- State
431 Retiree Benefits Trust Fund.

432 **SECTION 32.** Section 22 of chapter 32B of the General Laws, as so appearing, is hereby
433 amended by striking out, in line 59, the figure "2014" and inserting in place thereof the following
434 figure:- 2016.

435 **SECTION 33.** Section 38A of chapter 41 of the General Laws, as so appearing, is hereby
436 amended by striking out the first sentence and inserting in place thereof the following sentence:-

437 Notwithstanding any general or special law to the contrary, a city or town may by ordinance, by-
438 law or vote provide that the collector of taxes shall collect, under the title of city or town
439 collector, any accounts due the city or town, and may in like manner define the collector of
440 taxes' powers and duties in relation to the collection of such accounts; provided, however, that
441 no such ordinance, by-law or vote, heretofore or hereafter passed, shall limit such collector in the
442 exercise of the remedies hereinafter conferred.

443 **SECTION 34.** Subsection (a) of section 7B of chapter 58A of the General Laws, as so appearing
444 , is hereby amended by striking out the second sentence and inserting in place thereof the
445 following sentence:-

446 Any case in which the amount of tax placed in dispute by the petition does not exceed: (1)
447 \$25,000 for any taxable year, in the case of a tax imposed by taxable year; (2) \$25,000 for any
448 calendar year, in the case of a tax imposed by calendar year; (3) \$25,000 for any calendar year,
449 in the case of a tax imposed by chapters 64A to 64J, inclusive, and section 21 of chapter 138; (4)
450 \$25,000 in the case of a tax imposed by chapter 65C; or (5) \$25,000 for any taxable event or
451 transaction in the case of any other tax; shall be governed by the small claims procedure unless
452 the appellant affirmatively requests that the case be heard under the formal procedure provided
453 by section 7.

454 **SECTION 35.** Said section 7B of said chapter 58A, as so appearing, is hereby further amended
455 by striking out, in line 18, the figure "\$5,000" and inserting in place thereof the following
456 figure:- \$25,000.

457 **SECTION 36.** Said section 7B of said chapter 58A, as so appearing, is hereby further amended
458 by striking out subsection (c) and inserting in place thereof the following subsection:-

459 (c) An appellant filing an appeal under the small-claims procedure shall pay to the clerk an
460 entry fee as determined annually by the secretary of administration and finance under section 3B
461 of chapter 7 and shall file a written statement of the facts of the case and of the amount claimed
462 in abatement, together with such additional information as the clerk may require. The appellant
463 shall also file a written waiver of the right to appeal to any court. Within 5 business days after
464 receipt of the petition, the clerk shall notify the parties to confirm the scheduling of the appeal
465 and serve a copy of the small claims procedure petition and affiliated information upon the
466 commissioner of revenue. Within 25 business days after the service of the statement or at such
467 other time as the board may order, the commissioner of revenue shall file with the board an
468 answer similar to that required under the formal procedure provided by section 7.

469 **SECTION 37.** Said section 7B of said chapter 58A, as so appearing, is hereby further amended
470 by striking out, in line 42, the word "subsection" and inserting in place thereof the following
471 words:- subsections (a) and.

472 **SECTION 38.** Subsection (e) of said section 7B of said chapter 58A, as so appearing, is hereby
473 amended by striking out the third and fourth sentences and inserting in place thereof the
474 following 4 sentences:-

475 The commissioner may also request that a matter be removed from the small claims procedure if:
476 (1) there is a recurring issue of law and the impact of the issue on similarly situated taxpayers
477 carries an aggregate value of over \$250,000; or (2) the board determines that the issue to be
478 addressed is not suitable for small claims resolution due to its complexity, unique nature or other
479 compelling reason as determined by the board in good faith. Upon any such removal or
480 discontinuance, proceedings in the case shall be transferred to the formal docket and conducted
481 under the formal procedure provided by section 7. The date on which the appellant's initial
482 petition was received by the board shall be deemed the date of filing for the subsequent appeal
483 under the formal procedure. The board shall allow sufficient time for the parties to modify their
484 small claims submissions as needed to comply with the documentary requirements of the formal
485 procedure, and the board shall deem waiver of the right of appeal to be void.

486 **SECTION 39.** Section 7A of chapter 94C of the General Laws, as so appearing, is hereby
487 amended by inserting after the word "practitioner", in line 2, the following words:- , physician
488 assistant or a registered nurse authorized by the board of registration in nursing to practice in
489 advanced practice nursing roles.

490 **SECTION 40.** Section 32E of chapter 94C of the General Laws, as so appearing, is hereby
491 amended by striking out, in line 88, the figure "20" and inserting in place thereof the following
492 figure:- 30.

493 **SECTION 41.** Said section 32E of said chapter 94C, as so appearing, is hereby further amended
494 by striking out, in line 95, the figure "20" and inserting in place thereof the following figure:- 30.

495 **SECTION 42.** Said section 32E of said chapter 94C, as so appearing, is hereby further amended
496 by striking out, in line 102, the word "twenty" and inserting in place thereof the following
497 figure:- 30.

498 **SECTION 43.** Said section 32E of said chapter 94C, as so appearing, is hereby further amended
499 by striking out, in line 108, the word "twenty" and inserting in place thereof the following
500 figure:- 30.

501 **SECTION 44.** Chapter 111 of the General Laws is hereby amended by striking out section 4M
502 and inserting in place thereof the following section:-

503 Section 4M. Subject to appropriation, the department shall:

504 (1) conduct a needs assessment to determine the incidence and prevalence of hepatitis B
505 virus, and hepatitis C virus in the commonwealth;

506 (2) develop and implement a program to prevent further transmission of viral hepatitis
507 and to prevent onset of chronic liver disease caused by viral hepatitis;

508 (3) develop and implement a statewide public education and community outreach
509 program to raise awareness and promote prevention of viral hepatitis;

510 (4) develop or approve evidence-based educational materials on the risks, diagnosis,
511 treatment and prevention of viral hepatitis; provided that, the materials shall be made available in
512 written and electronic form and shall be targeted to physicians and other health care providers
513 and high-risk populations subject to an increased risk of contracting viral hepatitis as determined
514 by the department;

515 (5) support the establishment and maintenance of a chronic and acute hepatitis B and
516 hepatitis C surveillance program, in order to identify: (i) trends in the incidence of acute and
517 chronic hepatitis B and acute and chronic hepatitis C, (ii) trends in the prevalence of acute and
518 chronic hepatitis B and acute and chronic hepatitis C infection among groups that may be
519 disproportionately affected, and (iii) trends in liver cancer and end-stage liver disease incidence
520 and deaths caused by chronic hepatitis B and chronic hepatitis C in high-risk populations; and

521 (6) annually report on the department's viral hepatitis education, awareness and
522 prevention education and community outreach efforts to the joint committee on public health on
523 or before January 1.

524 **SECTION 45.** Chapter 111 of the General Laws is hereby amended by inserting after section
525 51J the following section:-

526 Section 51K. The department, in conjunction with the center for health information analysis,
527 shall require each hospital in the commonwealth that operates an emergency room to collect and
528 report to the department on the use of the emergency room by patients seeking mental health or
529 substance abuse services; provided, that hospitals shall collect and report data in full compliance
530 with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Public
531 Law 104-191. For patients that present to the emergency department for such services, the
532 hospital shall collect and aggregate the following information and report on a quarterly basis: (1)
533 number of visits to the emergency room per month; broken down by visit type: medical, mental
534 health, substance abuse, and combined medical, mental health or substance abuse; (2) Length of
535 time between admission and evaluation by the attending emergency room physician; (3) The
536 type of insurance and carriers, and the number of patients who were clients of the department of
537 mental health, the department of children and families or the department of developmental
538 services; (4) The number of required evaluations by an emergency service provider, and as
539 applicable, the average length of time between the initial calls to the emergency service provider
540 and the time the emergency service provider responded; (5) Whether the patient's insurance type
541 required a prior authorization request, and as applicable, the length of time between a submission
542 of a prior authorization request to the patient's insurance plan and response time by the insurance
543 plan; and (6) The length of time between the admission decision and the departure time to post-
544 emergency treatment.

545 The department and the center for health information analysis shall compile an annual report
546 based on the information submitted pursuant to this section that shall be published on the website
547 of the center and shall be submitted to the joint committee on health care financing and the joint
548 committee on mental health and substance abuse on or before December 31 of each year.

549 **SECTION 46.** Section 7 of chapter 111B of the General Laws, as appearing in the 2012 Official
550 Edition, is hereby amended by inserting after the word “treatment”, in line 41, the words: -;
551 provided, however, that a patient shall not be referred to alcohol and drug free housing unless
552 such housing is certified pursuant to section 18A of chapter 17.

553 **SECTION 47.** Section 1 of chapter 111D of the General Laws, as so appearing, is hereby
554 amended by striking out clause (3) and inserting in place thereof the following clause:-

555 (3) “Company”, a corporation, partnership, limited liability company, limited liability
556 partnership, an association, a trust or an organized group of persons, whether or not incorporated.

557 **SECTION 48.** Said section 1 of said chapter 111D, as so appearing, is hereby further amended
558 by striking out clause (7) and inserting in place thereof the following 2 clauses:-

559 (6A) “Ownership interest”, interests including, but not limited to, any membership,
560 proprietary interest, shares of stock in a corporation, units or other interest in a partnership,
561 bonds, debentures, notes or other equity interest or debt instrument or co-ownership in any form.

562 (7) “Person”, corporations, societies, associations, partnerships, limited liability companies,
563 limited liability partnerships, trusts, organized group of persons, whether incorporated or not, an
564 individual or his estate upon his death, any other entity including, but not limited to, medical
565 practice, medical office, clinic, counseling center, substance abuse treatment program or sober
566 house or a political subdivision of the commonwealth.

567 **SECTION 49.** Section 8 of said chapter 111D, as so appearing, is hereby amended by adding the
568 following clause:-

569 (17) knowingly solicit, accept or test any specimen derived from the human body that is
570 received from, ordered, requested or referred by: (a) any person or company in which the clinical
571 laboratory, or its directors, owners, partners, employees or family members thereof, have any
572 direct or indirect ownership interest; or (b) any person or company, or its directors, owners,
573 partners, employees or family members thereof, having any direct or indirect ownership interest
574 in the clinical laboratory; provided, however, that this clause shall not apply to: (i) a clinical
575 laboratory owned by a licensed physician, or group of licensed physicians, used exclusively in
576 connection with the diagnosis and treatment of said physician's or said group of physicians' own
577 patients, and where all testing is performed by or under the direct supervision of said physician
578 or said physicians; (ii) a hospital or clinic licensed under section 51 of chapter 111 used
579 exclusively in connection with the diagnosis or treatment of the hospital's or clinic's own
580 patients; or (iii) any case exempted under subsection (b) to (d), inclusive, of 42 U.S.C. section
581 1395nn, or specifically permitted by regulations or rules of the United States Secretary of Health
582 and Human Services, the federal Centers for Medicare or Medicaid Services, the executive office
583 of health and human services or the executive office for administration and finance.

584 **SECTION 50.** Said chapter 111D is hereby further amended by inserting after section 8 the
585 following section:-

586 Section 8A. It shall be a violation of this section for any person or company to knowingly
587 refer, request, order or send any specimen derived from the human body for examination to a
588 clinical laboratory in which the person or company, or any of its owners, directors, partners,
589 employees or family members thereof have a direct or indirect ownership interest. This section
590 shall not apply to: (i) a clinical laboratory owned by a licensed physician, or group of licensed
591 physicians, and used exclusively in connection with the diagnosis and treatment of said
592 physician's or said group of physicians' own patients, and where all testing is performed by or
593 under the direct supervision of said physician or said physicians; (ii) a hospital or clinic licensed
594 under section 51 of chapter 111 used exclusively in connection with the diagnosis or treatment of
595 the hospital's or clinic's own patients; or (iii) any case exempted under subsections (b) to (d),
596 inclusive, of 42 U.S.C. section 1395nn, or specifically permitted by regulations or rules of the
597 United States Secretary of Health and Human Services, the federal Centers for Medicare or
598 Medicaid Services, the executive office of health and human services or the executive office for
599 administration and finance.

600 **SECTION 51.** Said chapter 111D is hereby further amended by striking out section 13, as
601 appearing in the 2012 Official Edition, and inserting in place thereof the following 2 sections:-

602 Section 13. (a) Whoever maintains a clinical laboratory in the commonwealth without a
603 license in violation of section 4 or whoever, being licensed under section 5 maintains a clinical
604 laboratory in violation of the terms of such license, or whoever engages in, aids, abets, causes or
605 permits any act prohibited under section 8, or whoever refers, requests, orders or sends any
606 specimen derived from the human body in violation of section 8A shall be punished by
607 imprisonment for not more than 5 years in state prison, or by imprisonment in a jail or house of
608 correction for not more than 2 and 1/2 years or by a fine of not more than \$10,000, or by both
609 such fine and imprisonment. The commissioner shall transmit to the attorney general such
610 evidence of an offense as the department may have in its possession.

611 (b) If a person or company violates the provisions of clause (17) of section 8 or section 8A,
612 the attorney general may bring a civil action, either in lieu of or in addition to a criminal
613 prosecution, and may recover a civil penalty of not less than \$5,000 and not more than \$10,000
614 per violation, plus 3 times the amount of damages sustained, including consequential damages.
615 A person violating clause (17) of section 8 or section 8A shall also be liable to the
616 commonwealth for the expenses of the civil action brought to recover any such penalty or
617 damages, including, but not limited to, reasonable attorney's fees, reasonable expert's fees and
618 the costs of investigation. No action shall be brought under this section more than 6 years after it
619 accrues. The commissioner shall transmit to the attorney general such evidence of an offense as
620 the department may have in its possession.

621 (c) A person or company that solicits, offers or enters into a referral arrangement or scheme
622 with a clinical laboratory which the person or company knows or should know has a principal
623 purpose of assuring referrals by the person or company to a particular clinical laboratory which,
624 if the person or company directly made referrals to such clinical laboratory, would be in violation
625 of clause (17) of section 8 or section 8A, shall be liable to the commonwealth for a civil penalty
626 of not more than \$100,000 for each referral arrangement or scheme plus 3 times the amount of
627 damages sustained, including consequential damages. No action shall be brought under this

628 section more than 6 years after it accrues. The commissioner shall transmit to the attorney
629 general such evidence of an offense as the department may have in its possession.

630 Section 14. Pursuant to the authority of the department under clause (8) of section 2, the
631 department shall require all clinical laboratories to disclose any ownership interests in writing to
632 the department every 2 years. Such disclosure shall contain the name and ownership interest of
633 the disclosing person or company, as well as the names and all ownership interests of all other
634 parties with an ownership interest in the clinical laboratory. A copy of said disclosure shall be
635 provided by the clinical laboratory to the attorney general. Any person who fails to provide such
636 disclosure shall be subject to a fine not exceeding \$5,000 by the department.

637 **SECTION 52.** Section 12 of chapter 111E of the General Laws, as so appearing, is hereby
638 amended by inserting after the fourth sentence the following sentence:-

639 If the court imposes as a condition of probation that the defendant reside in alcohol and drug free
640 housing, the judge issuing the order shall require the probation officer to refer the defendant only
641 to alcohol and drug free housing certified pursuant to section 18A of chapter 17 and the
642 probation officer shall require the defendant to reside in housing so certified in order to satisfy
643 said terms and conditions; provided that such certified housing is available.

644 **SECTION 53.** The first paragraph of section 2 of chapter 112 of the General Laws, as so
645 appearing, is hereby amended by inserting after the second sentence the following 2 sentences:-

646 The board shall require that applicants for licensure, who are engaged in direct patient care,
647 demonstrate that their practice utilizes digitized patient-specific clinical information. Physicians
648 licensed pursuant to this chapter, whose patient records are not digitized, shall be required to
649 demonstrate to the board familiarity with the use of digitized records in comprehensive patient
650 care.

651 **SECTION 54.** Section 32 of chapter 118E of the General Laws, as so appearing, is hereby
652 amended by inserting after the word "mail", in line 5, the following words:- in accordance with
653 sections 3-306(f) and 3-403(f) of chapter 190B.

654 **SECTION 55.** Said section 32 of said chapter 118E, as so appearing, is hereby further amended
655 by striking out, in lines 5 and 6 and in line 78, the words "an executor or administrator" and
656 inserting in place thereof, in each instance, the following words:- a personal representative.

657 **SECTION 56.** Said section 32 of said chapter 118E, as so appearing, is hereby further amended
658 by striking out, in lines 15 and 16, 18, 23, 28, 45 and 46, 63, 68 and 69, 76, 98 and in lines 101
659 and 102, the words "executor or administrator" and inserting in place thereof, in each instance,
660 the following words:- personal representative.

661 **SECTION 57.** Chapter 119 of the General Laws as so appearing, is hereby amended by striking
662 out section 26A and inserting in place thereof the following section:-

663 Section 26A. (a) In addition to the department's criminal offender record check process
664 pursuant to section 172B of chapter 6, the department shall conduct fingerprint-based checks of
665 the state and national criminal history databases, as authorized by 42 U.S.C. section 16962, for
666 all applicants filing a request to become adoptive or foster parents and their household members
667 age 15 or older. When the department obtains the results of checks of state and national criminal
668 history databases, it shall treat the information according to sections 167 to 178, inclusive, of
669 chapter 6 and the regulations thereunder regarding criminal offender record information.

670 (b) Fingerprints, as referenced in subsection (a), shall be submitted to the identification
671 section of the department of state police for a state criminal history check and forwarded to the
672 Federal Bureau of Investigation for a national criminal history check, according to the policies
673 and procedures established by the identification section and by the department of criminal justice
674 information services. Fingerprint submissions may be retained by the Federal Bureau of
675 Investigation, the state identification section and the department of criminal justice information
676 services to assist the department in its review of suitability for initial or continued approval of
677 pre-adoptive or foster parents. The department of criminal justice information services may
678 disseminate the results of a state and national criminal history check to authorized department of
679 children and families staff to determine the suitability of adoptive and foster parent applicants
680 and their household members age 15 or older. If the department receives information from a
681 fingerprint-based check that does not include a final disposition or is otherwise incomplete, the
682 department may request that an applicant provide additional information to assist the department
683 in determining the suitability of the individual for approval.

684 (c) The department shall, subject to appropriation and the approval of the secretary of
685 administration and finance, pay all fees required to operate and administer the fingerprint-based
686 criminal background check system established in this section. The secretary of administration
687 and finance, in consultation with the secretary of public safety and security and the
688 commissioner, shall determine the appropriate fees necessary to offset the costs of the program.
689 Any fees required for fingerprinting activity pursuant to this section shall be deposited into the
690 Fingerprint-Based Background Check Trust Fund established by section 2HHHH of chapter 29.

691 (d) The department shall also obtain from the sex offender registry board all available sex
692 offender registry information associated with the address of all persons filing a registration of
693 interest for pre-adoptive or foster care placement and their household members age 15 or older.

694 (e) The department shall promulgate regulations requiring pre-adoptive or foster parents and
695 their household members age 15 or older be subject to a fingerprint-based check of the state and
696 national criminal history databases pursuant to 42 U.S.C. section 16962, as well as a sexual
697 offender registry information check pursuant to sections 178I and 178J of chapter 6. The
698 regulations shall incorporate all fees associated with conducting fingerprint-based checks, under
699 42 U.S.C. section 16962, as set by the department.

700 (f) If a record check pursuant to this section reveals a state or federal felony conviction for
701 child abuse or neglect, for spousal abuse, for a crime against children, including, but not limited
702 to, child pornography or for a crime involving violence, including, but not limited to, rape,

703 sexual assault or homicide, and a court of competent jurisdiction has determined that the felony
704 was committed, the department shall reject the request for foster care placement.

705 (g) If a record check pursuant to this section reveals a state or federal felony conviction for
706 physical assault, battery, or a drug-related offense, and a court of competent jurisdiction has
707 determined that the felony was committed in the past 5 years, the department shall reject the
708 request for foster care placement.

709 (h) If an applicant for foster placement was convicted for a crime other than those included in
710 subsections (f) and (g), the applicant's request for foster care placement shall not be
711 automatically rejected. The department shall consider the following factors in making its
712 decision whether to approve or deny such request: (1) the type of crime; (2) the number of
713 crimes; (3) the nature of the offenses; (4) the age of the individual at the time of conviction; (5)
714 the length of time that has elapsed since the last conviction; (6) the relationship of the crime and
715 the capacity to care for children; (7) the current and future needs of the child to be placed and the
716 probable effect that the misdemeanor would have on the applicant's ability to fulfill those needs;
717 (8) the relationship between the individual and the child in question; (9) evidence of
718 rehabilitation; and (10) opinions of community members concerning the individual in question.

719 **SECTION 58.** Section 20B of chapter 127 of the General Laws, as so appearing, is hereby
720 amended by inserting after the word "program", in line 11, the following words:- , provided,
721 however, that such place of confinement shall not include alcohol and drug free housing unless
722 such housing is certified pursuant to section 18A of chapter 17.

723 **SECTION 59.** Section 130 of said chapter 127, as so appearing, is hereby amended by adding
724 the following sentence:- If the terms and conditions prescribed by the board include residence in
725 alcohol and drug free housing, the board shall refer and require that the prisoner to whom the
726 permit is granted reside in alcohol and drug free housing that is certified under section 18A of
727 chapter 17 in order to satisfy said terms and conditions.

728 **SECTION 60.** Section 133B of said chapter 127, as so appearing, is hereby amended by
729 inserting after the third sentence the following sentence:-

730 If the terms and conditions prescribed by the board include residence in alcohol and drug free
731 housing, the board shall refer and require that the holder of the permit reside in alcohol and drug
732 free housing that is certified pursuant to section 18A of chapter 17 in order to satisfy said terms
733 and conditions.

734 **SECTION 61.** Section 133D of said chapter 127, as so appearing, is hereby amended by
735 inserting at the end of the second paragraph the following sentence:-

736 If the terms and conditions imposed by the board include residence in alcohol and drug free
737 housing, the board shall refer and require that person serving the sentence reside in alcohol and
738 drug free housing that is certified pursuant to section 18A of chapter 17 in order to satisfy said
739 terms and conditions.

740 **SECTION 62.** The second paragraph of section 65 of chapter 143 of the General Laws, as most
741 recently amended by section 6 of chapter 3 of the acts of 2013, is hereby amended by inserting
742 after the third sentence the following sentence:-

743 The commissioner or a designee may waive all or a portion of the \$100 per day fine and shall
744 promulgate rules and regulations to effectuate the criteria pursuant to which the fine may be
745 waived.

746 **SECTION 63.** Section 3-306 of chapter 190B of the General Laws, as appearing in 2012
747 Official Edition, is hereby amended by adding the following subsection:-

748 (g) The petitioner shall give written notice 7 days prior to petitioning for informal probate or
749 appointment by sending a copy of the petition and death certificate by certified mail to the
750 division of medical assistance.

751 **SECTION 64.** Section 3-403 of said chapter 190B, as so appearing, is hereby amended by
752 adding the following subsection:-

753 (g) The petitioner shall give notice by certified mail to the division of medical assistance
754 together with a copy of the petition and death certificate.

755 **SECTION 65.** Section 3-1201 of said chapter 190B, as so appearing, is hereby amended by
756 inserting after the word “person”, in line 5, the following words:- or, in the case of a person who
757 at his or her death, was receiving services from the department of mental health, the department
758 of developmental services or the division of medical assistance, any person designated to act as a
759 voluntary personal representative of the estate of such person by the department of mental health,
760 the department of developmental services or the division of medical assistance,.

761 **SECTION 66.** Section 87A of chapter 276 of the General Laws, as so appearing, is hereby
762 amended by inserting after the first sentence the following sentence:- If the court imposes as a
763 condition of probation that the defendant reside in alcohol and drug free housing, the judge
764 issuing the order shall require the probation officer to refer the defendant only to alcohol and
765 drug free housing certified under section 18A of chapter 17, and the probation officer shall
766 require the defendant to reside in housing so certified in order to satisfy said terms and
767 conditions.

768 **SECTION 67.** Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby amended
769 by striking out the figure "2015", inserted by section 142 of chapter 38 of the acts of 2013, and
770 inserting in place thereof the following figure:- 2016.

771 **SECTION 68.** Sections 99 and 107 of chapter 28 of the acts of 2009 are hereby repealed.

772 **SECTION 69.** Section 92 of chapter 194 of the acts of 2011 is hereby amended by striking out
773 the figure “2014” and inserting in place thereof the following figure:- 2016.

774 **SECTION 70.** Section 112 of chapter 194 of the acts of 2011 is hereby amended by striking out
775 the figure “2014” and inserting in place thereof the following figure:- 2016.

776 **SECTION 71.** Sections 131 and 226 of chapter 139 of the acts of 2012 are hereby repealed.

777 **SECTION 72.** Section 108 of chapter 224 of the acts of 2012 is hereby repealed.

778 **SECTION 73.** Section 299 of chapter 224 of the acts of 2012 is hereby repealed.

779 **SECTION 74.** For fiscal year 2015, the comptroller shall credit to the General Fund the funds
780 remitted to him under clause (8) of subsection (a) of section 93 of chapter 194 of the acts of
781 2011.

782 **SECTION 75.** Notwithstanding the provisions of chapter 7C, or any other general or special law
783 to the contrary, the commissioner of capital asset management and maintenance shall delegate
784 control and supervision of the division’s headquarters located in the town of Westborough to the
785 division of fish and wildlife for the maintenance of said facility; provided that that maintenance
786 costs exceeding \$2,000,000 shall require the approval of the commissioner of capital asset
787 management and maintenance.

788 **SECTION 76.** Notwithstanding any general or special law to the contrary, the commonwealth
789 health insurance connector established under chapter 176Q of the General Laws shall be
790 considered a state agency under chapter 7D of the General Laws.

791 **SECTION 77.** Notwithstanding any general or special law to the contrary, the amounts
792 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
793 made available for the commonwealth's Pension Liability Fund established by section 22 of said
794 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said
795 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said
796 chapter 32, including retirement benefits payable by the state employees' and the state teachers'
797 retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant
798 to section 102 of said chapter 32, for the reimbursement of local retirement systems for
799 previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32
800 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The
801 state board of retirement and each city, town, county and district shall verify these costs, subject
802 to the rules adopted by the state treasurer. The state treasurer may make payments upon a
803 transfer of funds to reimburse certain cities and towns for pensions to retired teachers, including
804 any other obligations which the commonwealth has assumed on behalf of any retirement system
805 other than the state employees' or state teachers' retirement systems and also including the
806 commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter
807 32. All payments for the purposes described in this section shall be made only pursuant to
808 distribution of monies from the fund, and any distribution and the payments for which
809 distributions are required shall be detailed in a written report filed quarterly by the secretary of
810 administration and finance with the house and senate committees on ways and means and the
811 joint committee on public service in advance of this distribution. Distributions shall not be made
812 in advance of the date on which a payment is actually to be made. The state board of retirement

813 may expend an amount for the purposes of the board of higher education's optional retirement
814 program pursuant to section 40 of chapter 15A of the General Laws. To the extent that the
815 amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32
816 exceeds the amount necessary to adequately fund the annual pension obligations, the excess
817 amount shall be credited to the Pension Reserves Investment Trust Fund, established by
818 subdivision (8) of section 22 of said chapter 32, for the purpose of reducing the unfunded
819 pension liability of the commonwealth.

820 **SECTION 78.** Notwithstanding any general or special law to the contrary, the commissioner of
821 public health shall promulgate regulations, consistent with federal law, to limit the distribution of
822 hydrocodone-only opioid controlled substances which have no abuse-deterrent properties. Such
823 regulations shall, consistent with federal law, establish restrictions on the marketing and
824 prescribing of such controlled substances.

825 **SECTION 79.** (a) Notwithstanding any general or special law to the contrary, the comptroller
826 shall, on or before June 30, 2015, transfer \$140,000,000 to the General Fund from the
827 Commonwealth Stabilization Fund; provided, however, the comptroller shall transfer a lesser
828 amount if the secretary of administration and finance so requests in writing. The comptroller, in
829 consultation with the secretary of administration and finance, may take the overall cash flow
830 needs of the commonwealth into consideration in determining the timing of any transfer of
831 funds. The comptroller shall provide a schedule of transfers to the secretary of administration
832 and finance and to the house and senate committees on ways and means.

833 (b) Notwithstanding any general or special law to the contrary, the comptroller shall, on or
834 before June 30, 2015, transfer the interest earned from the Commonwealth Stabilization Fund,
835 during fiscal year 2015, to the General Fund.

836 **SECTION 80.** Notwithstanding any general or special law to the contrary, the formula for
837 application of funds provided in section 35J of chapter 10 of the General Laws shall not apply in
838 fiscal year 2015.

839 **SECTION 81.** Notwithstanding any general or special law to the contrary, the executive office
840 for administration and finance shall transfer \$30,000,000 from the Commonwealth Care Trust
841 Fund to the Health Safety Net Trust Fund, established by section 66 of chapter 118E of the
842 General Laws. The executive office of health and human services and the health safety net office
843 shall fund the hospital fiscal year 2015 payment amount to each hospital from the Health Safety
844 Net Trust Fund. Payments may be made as safety net care payments under the commonwealth's
845 section 1115 waiver or as an adjustment to Title XIX service rate payments, or a combination
846 thereof. Other federally permissible funding mechanisms available for public service hospitals,
847 as defined by regulations of the executive office of health and human services, may be used to
848 reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from
849 the funding made available to the Health Safety Net Trust Fund. The secretary of administration
850 and finance, in consultation with the secretary of health and human services and the executive
851 director of the commonwealth health insurance connector authority, shall on a quarterly basis
852 evaluate the revenue needs of the health safety net program funded by the Health Safety Net
853 Trust Fund and subsidized health insurance programs funded by the Commonwealth Care Trust

854 Fund, and if necessary, transfer monies between these funds for the purpose of ensuring that
855 sufficient revenues are available to support projected program expenditures.

856 **SECTION 82.** Notwithstanding any general or special law to the contrary, on or before October
857 1, 2014, and without further appropriation, the comptroller shall transfer from the General Fund
858 to the Health Safety Net Trust Fund, established by section 66 of chapter 118E of the General
859 Laws, in this section called the fund, the greater of \$45,000,000 or one-twelfth of the total
860 expenditures to hospitals and community health centers required pursuant to this act, for the
861 purposes of making initial gross payments to qualifying acute care hospitals for the hospital
862 fiscal year beginning October 1, 2014. These payments shall be made to hospitals before, and in
863 anticipation of, the payment by hospitals of their gross liability to the fund. The comptroller shall
864 transfer from the fund to the General Fund, not later than June 30, 2015, the amount of the
865 transfer authorized by this section and any allocation of that amount as certified by the director
866 of the health safety net office.

867 **SECTION 83.** Notwithstanding any general or special law to the contrary, the nursing home
868 assessment established by subsection (b) of section 63 of chapter 118E of the General Laws shall
869 be sufficient in the aggregate to generate \$220,000,000 in fiscal year 2015.

870 **SECTION 84.** Notwithstanding section 53 of chapter 118E of the General Laws, the executive
871 office of health and human services may determine the extent of which to include within its
872 covered services for adults the federally optional dental services that were included in its state
873 plan or demonstration program in effect on January 1, 2002, and the dental services that were
874 covered for adults in the MassHealth basic program as of January 1, 2002; provided, however,
875 that the level of covered services provided shall not exceed the level of services as provided in
876 fiscal year 2014.

877 **SECTION 85.** (a) Whenever the secretary of administration and finance determines that
878 procurement reforms or initiatives have resulted in cost savings for an agency of the executive
879 department during fiscal year 2015, the secretary may reduce allotments under section 9B of
880 chapter 29 of the General Laws to reflect some or all of the amounts saved; provided, however,
881 that within 15 days of reducing allotments, the secretary shall notify the house and senate
882 committees on ways and means in writing.

883 (b) If as of October 1, 2014, the secretary of administration and finance determines that
884 allotment reductions related to procurement reforms or initiatives in fiscal year 2015 shall be
885 insufficient to generate \$30,000,000, the secretary may submit to the chairs of the house and
886 senate committees on ways and means a cost saving plan to reduce allotments under said section
887 9B of said chapter 29; provided, however, that no allotment reductions shall be made under this
888 subsection before the submission of a cost savings plan.

889 (c) The total amount of allotment reductions under this section shall not exceed \$30,000,000
890 in fiscal year 2015.

891 **SECTION 86.** (a) Notwithstanding clause (xxiii) of the third paragraph of section 9 of chapter
892 211B of the General Laws, or any other general or special law to the contrary, the court

893 administrator may, from the effective date of this act through April 30, 2015, transfer funds from
894 any item of appropriation within the trial court; provided, however, that the court administrator
895 may transfer not more than 5 per cent of funds from items 0339-1001 and 0339-1003 to any
896 other item of appropriation within the trial court. These transfers shall be made in accordance
897 with schedules submitted to the house and senate committees on ways and means. The schedule
898 shall include: (1) the amount of money transferred from any item of appropriation to any other
899 item of appropriation; (2) the reason for the necessity of the transfer; and (3) the date on which
900 the transfer shall be completed. A transfer under this section shall not occur until 10 days after
901 the revised funding schedules have been submitted in written form to the house and senate
902 committees on ways and means.

903 (b) Notwithstanding any general or special law, rule or regulation to the contrary, including
904 section 3 of chapter 211 of the General Laws, no funds appropriated pursuant to items 0330-
905 0101, 0330-0300, 0330-3337, 0331-0100, 0332-0100, 0333-0002, 0334-0001, 0335-0001, 0336-
906 0002, 0337-0002, 0339-1001, 0339-1003 or 0339-2100 of this act shall be expended on salaries
907 or benefits of any court officer hired or promoted in violation of section 10D or chapter 211B of
908 the General Laws or any probation officer hired or promoted in violation of section 83 of chapter
909 276 of the General Laws.

910 Prior to receiving an allocation, distribution or transfer of any funds from said items 0330-
911 0101, 0330-0300, 0330-3337, 0331-0100, 0332-0100, 0333-0002, 0334-0001, 0335-0001, 0336-
912 0002, 0337-0002, 0339-1001, 0339-1003 or 0339-2100 of this act the court administrator shall
913 certify to the secretary of administration and finance, in writing and under the pains and penalties
914 of perjury, that no funds appropriated pursuant to said items 0330-0101, 0330-0300, 0330-3337,
915 0331-0100, 0332-0100, 0333-0002, 0334-0001, 0335-0001, 0336-0002, 0337-0002, 0339-1001,
916 0339-1003 or 0339-2100 of this act are being expended in violation of this section.

917 The secretary of administration and finance shall not allocate, distribute, transfer nor
918 otherwise make available funds appropriated pursuant to said items 0330-0101, 0330-0300,
919 0330-3337, 0331-0100, 0332-0100, 0333-0002, 0334-0001, 0335-0001, 0336-0002, 0337-0002,
920 0339-1001, 0339-1003 or 0339-2100 of this act or any other funds prior to receipt of certification
921 by the court administrator, in writing and under the pains and penalties of perjury, that said funds
922 are not being expended in violation of this section.

923 (c) The positions of all court officers hired or promoted without having passed the written
924 examination required pursuant to subsection (a) or (g) of section 10D of chapter 211B of the
925 General Laws and all probation officers hired or promoted without having passed the written
926 examination required pursuant to subsection (a) or (g) of section 83 of chapter 276 of the General
927 Laws shall be deemed vacant and open for application consistent with the standards for
928 appointment promulgated by the court administrator pursuant to section 8 of chapter 211B of the
929 General Laws.

930 Appointments and promotions of court officers shall only be made pursuant to section 10D of
931 chapter 211B of the General Laws and appointments and promotions of probation officers shall
932 only be made pursuant to section 83 of chapter 276 of the General Laws. No court officer shall
933 be appointed or promoted on a provisional basis without being in compliance with section 10D

934 of chapter 211B of the General Laws and no probation officer shall be appointed or promoted on
935 a provisional basis without being in compliance with section 83 of chapter 276 of the General
936 Laws.

937 (d) Court officers previously hired or promoted without having passed the written
938 examination required pursuant to subsection (a) or (g) of section 10D of chapter 211B of the
939 General Laws shall be eligible to apply for appointment or promotion and may be rehired or
940 promoted upon the successful completion of the application process established by the court
941 administrator and only upon the pre-employment completion of the requirements of section 10D
942 of chapter 211B of the General Laws.

943 Probation officers previously hired or promoted without having passed the written
944 examination required pursuant to subsection (a) or (g) of section 83 of chapter 276 of the General
945 Laws shall be eligible to apply for appointment or promotion and may be rehired or promoted
946 upon the successful completion of the application process established by the court administrator
947 and only upon the pre-employment completion of the requirements of section 83 of chapter 276
948 of the General Laws.

949 (e) The court administrator shall certify in writing monthly, under the pains and penalties of
950 perjury, compliance with the provisions of this section. The court administrator shall submit said
951 certification on or before the 15th day of the month of each month to the clerks of the house and
952 senate, to the chairs of the house and senate committees on ways and means and the governor of
953 the commonwealth.

954 **SECTION 87.** Notwithstanding any general or special law to the contrary, the operational
955 services division, which pursuant to section 22N of chapter 7 of the General laws is responsible
956 for determining prices for programs pursuant to chapter 71B of the General Laws, shall set the
957 prices in fiscal year 2015 by increasing the final fiscal year 2014 price by the rate of inflation, as
958 determined by the division. The division shall adjust prices for extraordinary relief, as defined in
959 808 CMR 1.06(4). The department shall accept applications for program reconstruction and
960 special circumstances in fiscal year 2015. The division shall authorize the annual price for out of
961 state purchasers requested by a program, not to exceed a maximum price determined by the
962 division by identifying the most recent price calculated for the program and applying the
963 estimated rate of inflation for each year, as determined by the division pursuant to said section
964 22N of said chapter 7, in which the rate of inflation is frozen beginning with fiscal year 2004, in
965 a compounded manner for each fiscal year.

966 **SECTION 88.** Notwithstanding any general or special law to the contrary, the department of
967 correction shall reprocore food and commissary services provided at all institutions with a
968 contract to decrease expenses and increase efficiencies throughout the department. The
969 department shall solicit new bids for such services and reprocorement shall be subject to an open
970 and competitive bid process. The department of correction shall file a report with the house and
971 senate committees on ways and means on the reprocorement progress and projected cost-savings
972 on or before January 15, 2015. In executing the reprocorement of such services, the department
973 shall notify each county sheriff who may elect to participate in the reprocorement of such
974 services.

975 **SECTION 89.** Notwithstanding any general or special law to the contrary, in hospital fiscal year
976 2015, the office of the inspector general may expend a total of \$1,000,000 from the Health
977 Safety Net Trust Fund, established by section 66 of chapter 118E of the General Laws, for costs
978 associated with maintaining a health safety net audit unit within the office. The unit shall
979 continue to oversee and examine the practices in all hospitals including, but not limited to, the
980 care of the uninsured and the resulting free charges. The unit shall also study and review the
981 commonwealth's Medicaid program including, but not limited to, reviewing the program's
982 eligibility requirements, utilization, claims administration and compliance with federal mandates.
983 The inspector general shall submit a report to the house and senate committees on ways and
984 means on the results of the audits and any other completed analyses on or before March 1, 2015.

985 **SECTION 90.** (a) Notwithstanding any general or special law to the contrary, after complying
986 with clause (a) of section 5C of chapter 29 of the General Laws, the comptroller shall dispose of
987 the consolidated net surplus in the budgetary funds for fiscal year 2014 by transferring: (i)
988 \$25,000,000 to the Massachusetts Community Preservation Trust Fund, established by section 9
989 of chapter 44B of the General Laws; and (ii) the remaining balance to the Commonwealth
990 Stabilization Fund.

991 (b) All transfers pursuant to this section shall be made from the undesignated fund balances
992 in the budgetary funds proportionally from the undesignated fund balances; provided, however,
993 that no such transfer shall cause a deficit in any of the funds.

994 **SECTION 91.** Notwithstanding any general or special law to the contrary, nursing facility and
995 resident care facility rates effective for July 1, 2014, to December 31, 2014, under section 13D of
996 chapter 118E of the General Laws shall be developed using the costs of calendar year 2005;
997 provided further, that in setting such nursing facility rates, the executive office of health and
998 human services shall not impose any efficiency or economic methods or standards which are
999 based on occupancy rates or utilization rates.

1000 **SECTION 92.** Notwithstanding any general or special law to the contrary, nursing facility and
1001 resident care facility rates effective January 1, 2015, under section 13D of chapter 118E of the
1002 General Laws shall be developed using the costs of calendar year 2007; provided further, that in
1003 setting such nursing facility rates, the executive office of health and human services shall not
1004 impose any efficiency or economic methods or standards which are based on occupancy rates or
1005 utilization rates.

1006 **SECTION 93.** Pursuant to section 6 of chapter 7D of the General Laws, the chief information
1007 officer shall prioritize the development of an information technology strategic plan for the
1008 department of children and families. The plan shall detail the means by which the following
1009 technological improvements or upgrades shall be accomplished: (i) providing social workers
1010 with portable communication devices to facilitate communication with supervisors and
1011 emergency personnel; (ii) developing a platform to enter and access real-time data that
1012 documents home visitation and affiliated reports; and (iii) ensuring that photos of children, upon
1013 being placed in the care of the department, and annually thereafter, are uploaded into the
1014 Massachusetts statewide automated child welfare information system. The department of

1015 children and families, in consultation with and upon the approval by the Massachusetts office of
1016 information technology, shall expend available capital funds to upgrade its information
1017 technology. The office shall file a report on the development of the strategic plan and its
1018 progress in carrying out this section with the department of children and families to the joint
1019 committee on children, families and persons with disabilities and the house and senate
1020 committees on ways and means on or before September 30, 2014.

1021 **SECTION 94.** Notwithstanding any general or special law to the contrary, all payments received
1022 by the commonwealth in fiscal year 2015 under the master settlement agreement in
1023 Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-
1024 7378, shall be deposited into the General Fund.

1025 **SECTION 95.** Notwithstanding any general or special law to the contrary, section 152 of
1026 chapter 68 of the acts of 2011 shall not apply in fiscal year 2015; provided that the deposit to the
1027 State Retiree Benefits Trust Fund required under said section 152 of said chapter 68 for fiscal
1028 year 2015 shall be met under section 96.

1029 **SECTION 96.** Notwithstanding any general or special law to the contrary, the unexpended
1030 balances in items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 shall be deposited into the
1031 State Retiree Benefits Trust Fund, established by section 24 of chapter 32A of the General Laws,
1032 not later than June 30, 2015. The amount deposited shall be an amount equal to 30 per cent of all
1033 payments received by the commonwealth in fiscal year 2015 under the master settlement
1034 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior
1035 Court, No. 95-7378; provided, however, that if, in fiscal year 2015, the unexpended balances of
1036 items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 is less than 30 per cent of all payments
1037 received by the commonwealth in fiscal year 2015 under the master settlement agreement
1038 payments, an amount equal to the difference shall be transferred to the State Retiree Benefits
1039 Trust Fund from payments received by the commonwealth under the master settlement
1040 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior
1041 Court, No. 95-7378.

1042 **SECTION 97.** In a manner prescribed by the department of children and families, all pre-
1043 adoptive or foster parents currently licensed by the department and in custody of foster children
1044 shall comply with section 57 on or before January 1, 2016, to determine the suitability of current
1045 foster parents. The department shall also conduct state and national fingerprint-based background
1046 checks for pre-adoptive or foster parents upon any license renewal. Section 57 shall not apply to
1047 a foster care provider providing temporary, emergency housing for children, as defined by the
1048 department.

1049 **SECTION 98.** Pursuant to section 5 of chapter 18C of the General Laws, the office of the child
1050 advocate, in consultation with the inspector general and the attorney general, shall conduct an
1051 emergency review and analysis of the office management, recordkeeping and background check
1052 policies of the department of children and families. The office shall develop best business
1053 practices and management recommendations to ensure the improved administration of the
1054 department, including, but not limited to, the development of: (1) comprehensive paper and
1055 electronic recordkeeping of the intake and status of children under the care of the department,

1056 including an annual update of the photographs of such children and documentation of all
1057 required medical examinations; (2) comprehensive paper and electronic recordkeeping of all
1058 required background checks of pre-adoptive and foster parents and their household members age
1059 15 or older; (3) collection and maintenance practices to better access information related to
1060 approved criminal history waivers of foster parents, including a centralized, up-to-date
1061 compilation of all such waivers approved by the department and subsequent monthly reviews;
1062 (4) performance measurement tools to access the effectiveness of programs and services
1063 delivered; (5) improved communication between the commission's office, supervisors, staff
1064 members and children receiving services; (6) a concise procedure manual to be distributed and
1065 implemented with every department office; and (7) other administrative or business practices to
1066 ensure the effective management of the department. The office of the child advocate shall
1067 request any information necessary to complete the review from the department of children and
1068 families, the executive office of health and human services, or any other office, department or
1069 agency as needed, and such departments shall grant all requests unless prohibited by law.

1070 The office of the child advocate, subject to appropriation, may retain an independent third party
1071 expert or a consultant to assist in the emergency review. The office shall file a preliminary report
1072 with the joint committee on children, families and persons with disabilities on or before July 31,
1073 2014.

1074 **SECTION 99.** The center for health information and analysis shall submit a report to the house
1075 and senate chairs of the joint committee on public health and the joint committee on health care
1076 financing evaluating the geographic concentration of morbidity, health costs and access to care in
1077 public housing developments in the commonwealth. The report shall include, but not be limited
1078 to, the following: (1) evaluation of available data on insurance coverage; (2) a description of the
1079 level of morbidity; (3) a description of health care utilization patterns; (4) an analysis of health
1080 care costs; and (5) options for interventions appropriate to improve access to effective
1081 and efficient health care for public housing residents, based on a review of national practices.
1082 The center may choose to study a limited number of public housing developments in consultation
1083 with the house and senate chairs of the joint committee on public health. The center may enter
1084 into an interagency services agreement with the office of Medicaid or the department of public
1085 health in order to develop the report.

1086 **SECTION 100.** Notwithstanding any general or special law to the contrary, the department of
1087 children and families shall, within 60 days of the passage of this act, hire a licensed, professional
1088 medical staff member in each of the department's regional offices. Medical staff members shall
1089 provide initial medical screenings for all children who enter the department's care within 72
1090 hours. The department shall also hire a medical director to manage, oversee and coordinate
1091 medical staff members in providing timely medical screenings and other medical services for
1092 children served by the department.

1093 **SECTION 101.** There shall be a special task force convened to identify existing structural or
1094 policy-based impediments to delivering comprehensive and cost-effective behavioral and mental
1095 health treatment within the commonwealth's health care system. The task force shall consist of 9
1096 members: 1 of whom shall be the executive director of the center for health information and
1097 analysis, who shall serve as chair; 1 of whom shall be the commissioner of mental health; 1 of

1098 whom shall be a representative of the Massachusetts Hospital Association; 1 of whom shall be a
1099 representative of the Massachusetts Association of Health Plans; 1 of whom shall be a
1100 representative of the Massachusetts Psychiatric Society; 1 of whom shall be a representative of
1101 the Massachusetts Psychological Association; 1 of whom shall be a representative of the
1102 Massachusetts Association of Registered Nurses; 1 of whom shall be a representative of the
1103 Massachusetts Association of Behavioral Health Systems; and 1 of whom shall be a
1104 representative of the Association for Behavioral Healthcare.

1105 In its examination, the task force shall review how health care providers deliver behavior health
1106 services, including but not limited to: (i) an analysis of existing state and health care provider
1107 policies for collecting and evaluating aggregate data regarding the numbers of patients treated for
1108 behavioral or mental health diagnoses, provided treatments and patient outcomes; (ii) a review of
1109 existing state and industry policies for collecting and evaluating aggregate data regarding the
1110 annual number of people hospitalized due to a behavioral or mental health related diagnosis,
1111 including emergency room visits, and the associated costs for treatment; (iii) a review and
1112 analysis of existing state and industry policies regarding access to behavioral health services data
1113 and information, including recommendations to encourage increased coordination and improved
1114 access to relevant data among providers, hospitals and state agencies; and (iv) recommendations
1115 for necessary industry, regulatory, or legislative changes in order to improve collection and
1116 access to behavioral health data among providers, regulators, hospitals and other stakeholders.
1117 The task force shall submit its report, findings and recommendations, along with any proposed
1118 legislation and regulatory changes, to the health policy commission, the joint committee on
1119 mental health and substance abuse and the house and senate chairs of the joint committee on
1120 health care financing on or before July 1, 2015.

1121 **SECTION 102.** The department of developmental services shall submit a report, on or before
1122 August 31, 2014, to the joint committee on children, families and persons with disabilities and
1123 the house and senate committees on ways and means regarding the implementation of the
1124 employment first initiative. The report shall include, but not be limited to: (1) total number of
1125 participants in sheltered workshop programs per provider and the full or part time status of the
1126 participants; (2) total number of staff at sheltered workshops per provider, their job descriptions,
1127 and the full or part time status of the staff members; (3) total number of participants and staff in
1128 community based day support programs, group supported employment programs and individual
1129 supported employment programs; and (4) total number of vehicles for transportation per provider
1130 for sheltered workshops and community based day support programs.

1131 The department shall issue a second report, on or before July 31, 2015, and each year
1132 thereafter on or before July 31 until the full implementation of the employment first initiative, to
1133 the joint committee on children, families and persons with disabilities and the house and senate
1134 committees on ways and means for the purposes of monitoring the transition from sheltered
1135 workshops to programs under the employment first initiative. The report shall include, but not be
1136 limited to: (1) total number of participants in sheltered workshop, community based day support,
1137 group supported employment and individual supported employment programs and the full or part
1138 time status of the participants; (2) total number of participants who have transitioned from
1139 sheltered workshop programs and the new programs that are currently serving the participants;
1140 (3) total number of participants in new job placements within the previous fiscal year; (4) total

1141 number of staff at sheltered workshops, community based day support programs, group
1142 supported employment programs, and individual supported employment programs; and (5) the
1143 development of performance measurement tools to collect data and assess the success of
1144 community based day support programs, including direct input from participants of such
1145 programs and their families.

1146 **SECTION 103.** Section 62 shall apply to all fines assessed or any appeal of such fine filed on or
1147 after January 1, 2013.

1148 **SECTION 104.** Sections 12, 13, 14, 39, 46, 52, 53, 58, 59, 60, 61 and 66 shall take effect on
1149 January 1, 2015.

1150 **SECTION 105.** Except as otherwise specified, this act shall take effect on July 1, 2014.