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HOUSE . . . . . No. 1818

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act to improve training opportunities for health care workers..

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

SECTION 1. Chapter 29 of the General Laws is hereby amended by inserting after section 2XXX,the following section:—

Section 2YYY. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Health Workforce Retraining Fund, in this section called the fund. The fund shall provide grants to eligible organizations to support the training and retraining of health care employees to address changes in the health workforce. Requests for proposals shall be issued by the director of workforce development annually by the first day of March. All proposals shall be due not later than 60 days after the issuance of the request for proposals, and all grant awards shall be made not later than 120 days after the date on which the proposals are due. Eligible organizations shall be limited to long-term care facilities, hospitals and community health centers.

(b) The department of workforce development in consultation with the division of medical assistance, shall determine eligibility based on whether the program provides 1 or more of the following services in connection with training an eligible worker to (i) obtain a new position, (ii) continue to meet the requirements of an existing position, or (iii) otherwise meet the requirements of the changing health care industry: (1) assessments to help determine training needs; (2) remediation, including preparation in English for speakers or writers of other languages, instruction in basic reading or mathematics, or completion of requirements for a general equivalency diploma (GED); (3) basic skills development; (4) reorientation; and (5) skills and educational enhancement, including, where appropriate, the provision of college level or college degree course work. Grants from the program fund shall not exceed 0.5 per cent of the payroll cost of eligible workers. Any expenditure for eligible programs between fiscal years 2009 and 2010 shall be eligible for reimbursement.

(c) For a specific facility to be eligible for reimbursement from the fund, the facility shall submit the following to the department of medical assistance and the department of workforce development:

(1) proof of a legally binding, written commitment to increase the salaries, wages, or benefits of existing and newly hired employees, excluding managers, administrators, and contract employees, during the fiscal year; (2) proof of the existence of a method of enforcement of the commitment, such as arbitration, that is available to the employees or their representative, uses a neutral decision maker and is expeditious and economical for the employees; and (3) proof that the specific facility has provided written notice of the terms of the commitment and

the availability of the enforcement mechanism to the relevant employees or their recognized representative.

(d) The public purpose of the fund shall be to stabilize and address changes in the health workforce and improve the quality of care in Massachusetts health care facilities by reducing the turnover rate among direct service workers.

SECTION 2. Notwithstanding any general or special law to the contrary, not less than 10 days after the effective date of this act, the comptroller shall transfer $1,000,000 from the General Fund to the Health Workforce Retraining Fund.

SECTION 3. Requests for proposals under section 1 of this act in the first year after this act takes effect shall be issued by the director of workforce development within 60 days after the effective date of this act.