

**HOUSE . . . . . No. 67**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Peter J. Koutoujian***

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

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

An Act relative to sufficient services within the department of mental retardation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Peter J. Koutoujian</i>	<i>10th Middlesex</i>	<i>1/6/2011</i>

**HOUSE . . . . . No. 67**

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By Mr. Koutoujian of Waltham, a petition (accompanied by bill, House, No. 67) of Peter J. Koutoujian relative to waiting lists for services of the Department of Developmental Services. Children, Families and Persons with Disabilities.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 150 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to sufficient services within the department of mental retardation.

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

1 SECTION 1. Section 14 of Chapter 19B, as appearing in the 2004 Official Edition, is  
2 hereby amended by inserting the following subsections:--

3 (a)???? The Department of Mental Retardation (Department of Developmental Services  
4 as of July 1, 2009) shall develop a three-year plan to address all individuals waiting for  
5 community-based services including residential, day, transportation and family support.? The  
6 goal of said plan shall be to fund services for all eligible individuals and families in need by  
7 2013.

8 (b)???? The department shall: (1) require each area office to provide an updated list of  
9 names in priority order with corresponding cost plan with additional dollars required, (2) identify  
10 service type needed for each eligible participant, and (3) identify a number of people to serve per

11 year in order to achieve the goal of said legislation by 2013. Said plan shall include emergency  
12 allocations for those individuals not currently on the department's current list but go into crisis,  
13 and said emergency allocation shall be based on historical data. Said plan shall include annual  
14 allocations for family support funding for those not immediately served on the residential  
15 waiting lists.

16 (c)???? In year one and thereafter, until no one is waiting for residential services, 300  
17 people on said waiting list for residential services shall receive \$20,000 in vouchers or  
18 allocations in additional dollars on an annual basis to provide support while said individuals are  
19 waiting for services.? The department shall utilize said waiting list for services to determine  
20 distribution.? Individuals or families may utilize the funds for private-public partnerships and  
21 may choose to remove themselves from the residential waiting list.

22 (d)???? To minimize crisis driven services, the department shall include allocations or  
23 vouchers on an annual basis for families who are in need of family support.? These allocations  
24 shall range from \$3,000 to \$10,000 per year based on the range of services required.

25 (e)???? To encourage public private partnership in the employment of individuals with  
26 disabilities, incentives shall be established for employers: (1) a tax credit equal to 20% of any  
27 hired individuals' wages for the first two years of employment shall be granted, and (2) Six-  
28 month subsidies to assist in job-coaching shall be distributed on a case-by-case basis not to  
29 exceed \$12,000, these monies shall be allocated from a subsidy line item funded by a one-time  
30 two million dollar allocation.

31 (f)????? To maximize community-based services and supports, the department shall  
32 update the Facilities Consolidation plan to redirect resources as more individuals leave

33 institutional care and enter community-based homes.? The plan shall include a projected  
34 schedule of facility closures.? Any savings from said plan once the needs of individuals moving  
35 from facilities have been addressed may be used to offset additional monies required in this law.

36 (g)????To ensure quality, 20% of savings from the closures of state institutions will be  
37 allocated to support existing DMR services and supports funded through the purchase of the  
38 service system.

39 (h) To gain additional revenue, the department shall develop a plan which maximizes  
40 Medicaid funding received through the Home and Community Based Waiver and other proposed  
41 Waivers. This plan shall include retained revenue as one option to address the waiting list.