

HOUSE No. 128

The Commonwealth of Massachusetts

PRESENTED BY:

Tom Sannicandro

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 updating the real lives bill.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>1/14/2015</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>8/16/2019</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>8/16/2019</i>

HOUSE No. 128

By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 128) of Tom Sannicandro, James M. Cantwell and Alice Hanlon Peisch for legislation to assist people with disabilities in realizing their rights and exercising their responsibilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act updating the real lives bill.

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 19 of Chapter 19B of the General Laws, as so appearing, is hereby
2 amended by striking out section (c) in its entirety and inserting in place thereof the following:-

3 (c) The department shall establish a statewide self-determination advisory board to advise
4 the department on efforts to implement, publicize, evaluate, improve and develop information
5 regarding self-determination. The advisory board shall consist of: 1 individual appointed by the
6 governor, who shall serve as chair; 18 individuals appointed by the commissioner, 1 of whom
7 shall be a member of an advocacy organization, 1 of whom shall represent taxpayers, 1 of whom
8 shall have experience with consumer protection, 1 of whom shall have experience with self-
9 determination models, 1 of whom shall have experience with nonprofit and for-profit services
10 markets and competition and services for persons with disabilities, 1 of whom shall have
11 experience with financial management services, 1 of whom shall be an independent facilitator; 1
12 of whom shall be a provider of direct services, supports or goods and 10 of whom shall be a

13 participant or a family member, legal representative or guardian of a participant; 1 individual
14 appointed by the disabled persons protection commission; 1 individual appointed by the office of
15 the inspector general; and 1 individual appointed by the office of the state auditor. Members shall
16 serve for a term of 3 years. Upon the expiration of the term of any member, a successor shall be
17 appointed in like manner. The appointing entity shall in like manner fill any vacancy for the
18 remainder of the unexpired term.

19 The self-determination advisory board shall also compile, and continually update, a list of
20 participants or participants' chosen planning teams who are willing to volunteer to discuss their
21 experiences in self-determination with individuals considering implementing the self-
22 determination option in their individual support plans and shall provide said list to the
23 department.

24 SECTION 2. Said section 19 of said Chapter 19A is hereby further amended by inserting
25 after the phrase "fiduciary duty and shall meet minimum qualifications as established by the
26 department through regulation.", the following:-

27 Costs of the services of a financial management service shall be paid by participant out of
28 participant's individual budget. A financial management service shall obtain training with
29 respect to self-determination and other objectives and responsibilities described in this paragraph
30 at the financial management service's own expense.

31 SECTION 3. Said section 19 of said Chapter 19A is hereby further amended by inserting
32 after the phrase "employed by a person providing services, supports or goods to the participant.",
33 the following:-

34 Costs of the services of an independent facilitator shall be paid by participant out of
35 participant's individual budget unless the participant chooses an authorized state employee to be
36 the independent facilitator.