

HOUSE No. 4410

The Commonwealth of Massachusetts

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

An Act relative to strengthening background checks.

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

1 SECTION 1. Subsection (a) of section 7 of chapter 15D of the General Laws, as
2 appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph:-

3 (iv) As part of the department’s licensing and background record check process, the
4 department shall enter into an interagency service agreement with the disabled persons protection
5 commission established by section 2 of chapter 19C to allow for the sharing of information
6 resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said
7 chapter for present or prospective employees or other persons providing child care or support
8 services with the potential for unsupervised contact with children in any program or facility
9 licensed, approved or funded by the department. The disabled persons protection commission
10 shall be responsible for notifying the department of any complaints or serious incidents that may
11 impact the health and safety of any resident at facilities licensed by the department pursuant to
12 606 CMR 3.03 and 606 CMR 7.03.

13 SECTION 2. Section 38R of chapter 71 of the General Laws, as appearing in the 2014
14 Official Edition, is hereby amended by inserting after the first paragraph the following
15 paragraph:-

16 The department shall enter into an interagency service agreement with the disabled
17 persons protection commission established by section 2 of chapter 19C to allow for the sharing
18 of information resulting from investigations of allegations of abuse or neglect pursuant to section
19 5 of said chapter for any current or prospective employee within the school district who may
20 have direct and unmonitored contact with children. The disabled persons protection commission
21 shall be responsible for notifying the department of any complaints or serious incidents that may
22 impact the health and safety of any student at schools licensed by the department pursuant to 603
23 CMR 28.09.