

HOUSE No. 4541

The Commonwealth of Massachusetts

PRESENTED BY:

Brian M. Ashe

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 community based day support services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>
<i>Brian Murray</i>	<i>10th Worcester</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>

<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Bud Williams</i>	<i>11th Hampden</i>

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By Mr. Ashe of Longmeadow, a petition (subject to Joint Rule 12) of Brian M. Ashe and others that the Department of Developmental Services be authorized to incorporate an employment program within the Community Based Day Support Services programs. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to community based day support services.

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

1 Chapter 19B of the General Laws, as appearing in the 2016 Official Edition, is hereby
2 amended by inserting after section 12A the following section:-

3 Section 12B. The department shall incorporate an employment program within the
4 Community Based Day Support Services programs. For the purpose of this section, the term
5 Community Based Day Support Services programs shall mean programs that assist clients to
6 build and maintain their ability to participate in community activities by focusing on skill areas
7 that include communication, self-care, relationship-building and community involvement. The
8 employment program shall be optional and allow intellectually and physically challenged
9 individuals who are not able to be mainstreamed into employment within a community setting,
10 an opportunity to work in a supportive employment environment which enhances productivity,
11 safety and self-esteem. A reserve through the department shall be established and all
12 employment shall remain under department guidelines. The work will be offered through and

13 managed by the Community Based Day Support Services provider, at their facility, and shall be
14 incorporated into the existing Community Based Day Support Services programs for up to but
15 not to exceed 4 hours per day. All participating individuals will receive a subminimum wage
16 rate from the provider as set forth in Section 14(c) of the Fair Labor Standards Act.