

**SENATE . . . . . No. 26**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael J. Barrett***

*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 to promote choice for people with cognitive disabilities and their families.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/30/2017</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>1/30/2017</i>

**SENATE . . . . . No. 26**

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By Mr. Barrett, a petition (accompanied by bill, Senate, No. 26) of Michael J. Barrett, James B. Eldridge and Chris Walsh for legislation to promote choice for people with cognitive disabilities and their families. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

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

An Act to promote choice for people with cognitive disabilities and their families.

*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 19 of chapter 19B of the General Laws, as appearing in the 2014 Official Edition  
2 as having been added by chapter 255 of the Acts of 2014, is hereby amended by striking out  
3 subsection (e)(15) and inserting in place thereof the following two subsections:-

4           (15) make available to participants a searchable online repository of information  
5 submitted by providers of self-determination supports, services, or goods pursuant to subsection  
6 (15½) of this section; provided that the department shall not disclose or publish any information  
7 that may violate the personal privacy protections in section 7 of chapter 4, section 2 of chapter  
8 66A, section 17 of chapter 123B, or any other state or federal privacy law;

9           (15½) require providers of self-determination supports, services, or goods that serve  
10 multiple participants and that are in receipt of \$15,000 or more of self-determination funds per  
11 year within the two years preceding the year in which the department requires said information,  
12 or that serve more than one individual participating in self-determination services within the one

13 year preceding the year in which the department requires said information, and allow any other  
14 provider of self-determination supports, service, or goods that voluntarily submits information  
15 otherwise required under this section, to submit to the department for use in the searchable online  
16 repository required by subsection (15), in standardized terms or units and descriptive categories  
17 set by the department, information regarding:

18 (A) organizational structure and history, including but not limited to: (i) complete legal  
19 name of the provider, vendor or supplier, and where different, the popular or public name of the  
20 provider, vendor or supplier; (ii) legal structure and organizational type; (iii) accreditation and  
21 licensure status, including any sanctions imposed by the department; (iv) URL web address  
22 location of any recent formal audits, reports, and investigations; (v) contact information and  
23 website; and (vi) the cities and towns, and if applicable, the neighborhoods served by each  
24 program of each provider;

25 (B) facilities available and in good operating order at each geographic location, including  
26 but not limited to: (i) precise street address of each geographic location, provided that in the case  
27 of a residential facility, the provider of self-determination services shall submit the precise street  
28 address of the property management office; (ii) availability of and proximity to public  
29 transportation; (iii) hours of operation; and (iv) accessibility for mobility-impaired individuals;

30 (C) services, supports, or goods offered at each geographic location by said provider  
31 including but not limited to: (i) hours and schedules of availability of each service, support, or  
32 good; (ii) populations served; (iii) provisions regarding the supervision, storage, and dispensation  
33 of prescription medications; and (iv) any special or non-standard eligibility requirements or  
34 restrictions;

35 (D) medical and non-medical professional staff at each geographic location, including but  
36 not limited to the number, stated in full-time equivalents, of staff for each professional or clinical  
37 category; and

38 (E) characteristics of individuals receiving services, supports, and goods at each  
39 geographic location, including but not limited to: (i) number of clients; (ii) age range of clients;  
40 and (iii) gender for any program serving only male or female clients.