

HOUSE No. 310

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balser, (BY REQUEST)

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 notification of fraud.

PETITION OF:

NAME:

James Ryan

DISTRICT/ADDRESS:

DATE ADDED:

1/28/2021

HOUSE No. 310

By Ms. Balser of Newton (by request), a petition (accompanied by bill, House, No. 310) of James Ryan relative to requiring notification of fraud by the Division of Professional Licensure and boards of registration. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to notification of fraud.

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 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after section 1B the following section:-

3 Section 1C. (a) The division of professional licensure or any board of registration under
4 this chapter shall, for each entity or person it supervises, publish on its website a notice of fraud
5 as required under this section.

6 (b) In imposing a decision to suspend or withdraw a license or sanction a licensee under
7 this chapter for a defendant licensee who has been found guilty of an offense involving fraud or
8 other intentionally deceptive practices, the division or board of registration shall give reasonable
9 notice and explanation of the offense, in such form as the division or board may approve, to the
10 victims of the offense. The division or board of registration may order, in addition to any other
11 penalty, conviction or sanction imposed upon the licensee, that the defendant give reasonable
12 notice and explanation of the offense, in such form as the division or board may approve, to the

13 victims of the offense. The notice may be ordered to be given by mail, by advertising in
14 designated areas or through designated media, or by other appropriate means. In determining
15 whether to require the licensee to give such notice, the division or board may consider other
16 factors to the extent that they are applicable and shall consider the cost involved in giving the
17 notice as it relates to the loss caused by the offense.

18 In imposing a decision to suspend or withdraw a license or sanction a licensee under this
19 chapter for a defendant licensee who has been found guilty of an offense involving fraud or other
20 intentionally deceptive practices, in the event that the defendant licensee is an attorney licensed
21 to practice law in the Commonwealth, the division or board of registration shall give reasonable
22 notice and explanation of the offense, in such form as the division or board may approve, to the
23 Board of Bar Overseers, the Office of Bar Counsel, and the Massachusetts Bar Association.