HOUSE . . . . . No. 3774

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR SUBMITTING REORGANIZATION PLAN NUMBER 1 OF 2021, RELATIVE TO REORGANIZING CERTAIN LICENSING AGENCIES OF THE EXECUTIVE DEPARTMENT.

(under Article LXXXVII of the Amendments to the Constitution)

May 24, 2021

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The Commonwealth of Massachusetts

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CHARLES D. BAKER
GOVERNOR

KARYN POLITO
LIEUTENANT GOVERNOR

May 19, 2021

To the Honorable Senate and House of Representatives,

As provided in Article LXXXVII of the Amendments to the Constitution, I submit for your consideration "An act reorganizing certain licensing agencies of the executive department."

This Article 87 plan will transfer certain health-related licensing boards currently within the Division of Professional Licensure to the Department of Public Health and change the name of the Division of Professional Licensure to the Division of Occupational Licensure. This Administration made a similar proposal to transfer health-related boards during the last legislative session. By transferring these health-related licensing boards, the Commonwealth will be better served with the licensing functions within an agency more appropriately aligned with their areas of expertise. Licensed health professionals will directly benefit from the oversight of the Department of Public Health, which is staffed by many public health experts and licensed health professionals who regularly work with the myriad of state and federal laws and regulations. This will foster more collaboration and coordination between DPH, the boards, and licensed health professionals.

Upon the transfer of these boards, the agency currently known as the Division of Professional Licensure will retain oversight of 15 boards of registration covering licensure of a variety of occupations ranging from electricians to massage therapists, as well as oversight of 10 boards, bureaus or other governing bodies within the Office of Public Safety and Inspections, and the Office of Private Occupational School Education. Changing the name of the agency to

the Division of Occupational Licensure will more accurately reflect its function and purpose in assisting the people of the Commonwealth.

Accordingly, I urge your favorable consideration of this reorganizational plan.

Respectfully submitted,

Charles D. Baker,
Governor

HOUSE . . . . . No. 3774

Message from His Excellency the Governor recommending legislation relative to reorganizing certain licensing agencies of the executive department.

The Commonwealth of Massachusetts

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

An Act reorganizing certain licensing agencies of the executive department.

Be it approved pursuant to Article LXXXVII of the Amendments to the Constitution and by the authority of the same, as follows:

SECTION 1. Section 172K of chapter 6 of the General Laws, as so appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 20 to 21, the word "professional" and inserting in place thereof the following word:- occupational.

SECTION 2. Section 16G of chapter 6A of the General Laws, as so appearing, is hereby amended by striking out, in line 20, the word "professional" and inserting in place thereof the following word:- occupational.

SECTION 3. Section 35V of chapter 10 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 3, the word "Professional", each time it appears, and inserting in place thereof, in each instance, the following word:- Occupational.

SECTION 4. Said section 35V of said chapter 10 of the General Laws, as so appearing, is hereby further amended by striking out, in lines 4 and 10, the word "professional", each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 5. Section 8 of chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 6. Section 8A of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 2 and in lines 9 to 10, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 7. Section 9 of said chapter 13 of the General Laws, as so appearing, is hereby amended by inserting after the word “workers”, in line 8, the following words:- , the board of registration in naturopathy, the board of registration of social workers, the board of registration of psychologists, the board of registration of allied mental health and human services professions, the board of allied health professions, the board of registration of dieticians and nutritionists, the board of registration in podiatry, the board of registration in optometry, the board of registration of dispensing opticians, the board of registration of chiropractors, the board of registration of speech-language pathology and audiology, the board of registration of hearing instrument specialists, the board of certification of health officers, the board of registration of sanitarians.

SECTION 8. Said section 9 of said chapter 13 of the General Laws, as so appearing, is hereby further amended by striking out, in lines 11 and 14, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 9. Section 11D of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words “division of professional licensure” and inserting in place thereof the following words;- department of public health.

SECTION 10. Section 22 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 74, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 11. Section 36 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 12. Section 44A of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 13. Section 79 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 17 and 18 and in line 27, the words “director of consumer affairs and business regulations”, each time it appears, and inserting in place thereof, in each instance, the following words:- commissioner of public health.

SECTION 14. Section 84 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 8 and 9, the words “division of professional licensure” and inserting in place thereof the following words:- department of public health.

SECTION 15. Said section 84 of said chapter 13 of the General Laws, as so appearing, is hereby further amended by striking out, in lines 44 and 45, the words “Division of Professional Licensure Trust Fund established in section 35V” and inserting in place thereof the following words:- Quality in Health Professions Trust Fund established in section 35X.

SECTION 16. Section 88 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words “division of professional licensure” and inserting in place thereof the following words:- department of public health.

SECTION 16A. The first paragraph of section 90 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out the third sentence.

SECTION 17. Said section 90 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 18, the words “director of consumer affairs and business regulations” and inserting in place thereof the following words:- commissioner of public health.

SECTION 18. Section 94 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the words” director of registration” and inserting in place thereof the following words:- commissioner of public health.

SECTION 19. Section 96 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 20. Section 98 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 21. Section 101 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 4, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 22. Section 102 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 8 to 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 23. Section 105 of said chapter 13 of the General Laws, as so appearing, is hereby amended by striking out, in lines 5 and 6, the words” division of professional licensure” and inserting in place thereof the following words:- department of public health.

SECTION 24. Section 1 of chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 3, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 25. Section 10A of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 26. Section 11 of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 27. Section 11A of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 28. Section 12 of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 29. Section 13A of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 30. Section 20 of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 31. Section 22 of said chapter 22 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 32. Section 9H of chapter 23 of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 33. Section 11H of said chapter 23 of the General Laws, as so appearing, is hereby amended by striking out, in lines 39 to 40, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 34. Section 2AAAA of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in lines 4 and 9, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 35. Section 50 of chapter 30 of the General Laws, as so appearing, is hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 36. Section 48 of chapter 31 of the General Laws, as so appearing, is hereby amended by striking out, in line 15, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 37. Section 3 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out, in line 257, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 38. Section 89 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out, in lines 83 to 84, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 39. Section 1 of chapter 82A of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 40. Section 2 of said chapter 82A of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 41. Section 3 of said chapter 82A of the General Laws, as so appearing, is hereby amended by

striking out, in lines 17 and 30, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 42. Section 18A of chapter 93 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 43. Section 1 of chapter 105 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 44. Section 51 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 45. Section 71 of said chapter 111 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 46. Section 1 of chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 3, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 47. Said section 1 of said chapter 112 of the General Laws, as so appearing, is hereby further amended by inserting after the word “dentistry”, in line 12, the following words:- , the board of registration of genetic counselors, the board of registration of community health workers, the board of registration in naturopathy, the board of registration of social workers, the board of registration of psychologists, the board of registration of allied mental health and human services professions, the board of allied health professions, the board of registration of dieticians and nutritionists, the board of registration in podiatry, the board of registration in optometry, the

board of registration of dispensing opticians, the board of registration of chiropractors, the board of registration of speech-language pathology and audiology, the board of registration of hearing instrument specialists, the board of certification of health officers, the board of registration of sanitarians.

SECTION 48. Section 1B of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 49. Section 23M½ of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words “Division of Professional Licensure Trust Fund established by Section 35V” and inserting in place thereof the following words:- Quality in Health Professions Trust Fund established in Section 35X.

SECTION 50. Section 24H of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 31, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 51. Section 61 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 5, 18 to 19, and 50 to 51, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 52. Section 65 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 53. Section 65A of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 54. Section 65B of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 55. Section 65D of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 to 3, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 56. Said section 65D of said chapter 112 of the General Laws, as so appearing, is hereby further amended by striking out, in line 4, the word “Professional”, and inserting in place thereof the following word:- Occupational.

SECTION 57. Section 65E of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 58. Section 65F of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 59. Section 87CC of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 60. Section 87EE of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 61. Section 94A of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking, in lines 32 and 33, the words “division of professional licensure” and inserting in place thereof the following words:- department of public health.

SECTION 62. Said section 94A of said chapter 112 of the General Laws, as so appearing, is hereby further amended by striking, in lines 35 and 36, the words “Division of Professional Licensure Trust Fund established by Section 35V” and inserting in place thereof the following words:- Quality in Health Professions Trust Fund established in Section 35X.

SECTION 63. Section 181 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 46, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 64. Section 203 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking, in lines 7 and 8, the words “division of registration” and inserting in place thereof the following words;- department of public health.

SECTION 65. Section 221 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the word “registration” and inserting in place thereof the following words:- occupational licensure.

SECTION 66. Section 229 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 24, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 67. Section 232 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 7 to 8, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 68. Section 233 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 11, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 69. Section 245 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in lines 6 to 7, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 70. Section 250 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 71. Section 263 of said chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 72. Section 26 of chapter 121B of the General Laws, as so appearing, is hereby amended by striking out, in line 100, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 73. Section 28 of said chapter 121B of the General Laws, as so appearing, is hereby amended by striking out, in lines 7 and 29, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 74. Section 4 of chapter 136 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 75. Section 180B of chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 76. Section 180C of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 23, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 77. Section 180G of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 78. Section 181A of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 79. Section 183 of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 8, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 80. Section 183A of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 98, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 81. Section 185A of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 82. Section 205A of said chapter 140 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 83. Section 1A of chapter 141 of the General Laws, as so appearing, is hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 84. Section 1 of chapter 143 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 85. Section 3T of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 86. Section 13 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 87. Section 62A of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 88. Section 68 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 89. Section 71A of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 90. Section 71B of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 15, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 91. Section 81 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 92. Section 82 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 93. Section 84 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 94. Section 85 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 to 3, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 95. Section 93 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2, 8, and 45, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 96. Section 94 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in lines 94 to 95, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 97. Section 100 of said chapter 143 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 98. Section 53 of chapter 146 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 99. Section 53A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 8, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 100. Section 56A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 101. Section 57A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 102. Section 62A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in line 33 and lines 37 to 38, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 103. Section 65 of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 4, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 104. Section 65A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 105. Section 66A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in lines 4 and 6, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 106. Section 67 of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in line 30, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 107. Section 83 of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 108. Section 85 of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in lines 3 and 4, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 109. Section 85A of said chapter 146 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 110. Section 1 of chapter 147 of the General Laws, as so appearing, is hereby amended by striking out, in lines 1 and 4, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 111. Section 56 of said chapter 147 of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 112. Section 1 of chapter 148A of the General Laws, as so appearing, is hereby amended by striking out, in line 19, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 113. Section 2 of chapter said 148A of the General Laws, as so appearing, is hereby amended by striking out, in line 74, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 114. Section 3 of chapter said 148A of the General Laws, as so appearing, is hereby amended by striking out, in line 76, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 115. Section 4 of chapter said 148A of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 10, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 116. Section 44 of chapter 149 of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 117. Section 116 of said chapter 149 of the General Laws, as so appearing, is hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 118. Section 129D of said chapter 149 of the General Laws, as so appearing, is hereby amended by striking out, in lines 2 and 4, the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 119. Section 113V of chapter 175 of the General Laws, as so appearing, is hereby amended by striking out, in lines 10 and 11 and in lines 58 and 59, the words “division of professional licensure”, each time they appear, and inserting in place thereof, in each instance, the following words:- department of public health.

SECTION 120. Section 28 of chapter 180 of the General Laws, as so appearing, is hereby amended by striking out, in line 8, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 121. Section 3 of chapter 239 of the General Laws, as so appearing, is hereby amended by striking out, in line 24, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 122. Section 4 of said chapter 239 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 123. Section 25 of chapter 270 of the General Laws, as so appearing, is hereby amended by striking out, in line 21, the word “professional” and inserting in place thereof the following word:- occupational.

SECTION 124. Section 7A of chapter 271 of the General Laws, as so appearing, is hereby amended by striking out the word “professional”, each time it appears, and inserting in place thereof, in each instance, the following word:- occupational.

SECTION 125. Whenever the following former names appear in any general or special law, regulation, contract or other document, they shall be taken to mean the following new names, respectively:

(a) the division of professional licensure, the division of occupational licensure;

(b) the division of registration, the division of occupational licensure;

(c) the Division of Professional Licensure Trust Fund, the Division of Occupational Licensure Trust Fund

SECTION 126. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Department", the department of public health.

"Division", the division of occupational licensure.

"Transferring Boards", the board of registration of social workers, the board of registration of psychologists, the board of registration of allied mental health and human services professions, the board of allied health professions, the board of registration of dieticians and nutritionists, the board of registration in podiatry, the board of registration in optometry, the board of registration of dispensing opticians, the board of registration of chiropractors, the board of registration of speech-language pathology and audiology, and the board of registration of hearing instrument specialists, the board of certification of health officers, and the board of registration of sanitarians.

(b) Notwithstanding any general or special law to the contrary, the division and the department shall develop and implement a transfer agreement providing for the orderly transfer of personnel, proceeds, rules and regulations, property and legal obligations and functions of the transferring boards from the division to the department.

(c) All petitions, requests, investigations, filings and other proceedings appropriately and duly brought before, or pending before, the transferring boards or the division regarding the transferring boards, before the transfer, shall continue unabated and remain in force, and shall be assumed and completed by the transferring boards and department after the transfer to the department.

(d) All orders, advisories, findings, rules and regulations duly made and all approvals duly granted by the transferring boards or division regarding the transferring boards, which are in force immediately before the transfer, shall continue in force and shall thereafter be enforced,

until superseded, revised, rescinded or canceled, in accordance with law, by the transferring boards after the transfer to the department.

(e) All books, papers, records, documents, equipment, cash and other property, both personal and real, including all such property held in trust, which immediately before the transfer are in the custody of the division regarding the transferring boards, shall be transferred to the department.

(f) All duly existing contracts, leases and obligations of the transferring boards, shall continue in effect after transfer to the department. No such existing right or remedy of any character shall be lost, impaired or affected by this act.

(g) In consultation with the secretary of administration and finance, the department and the division, in developing the transfer agreement required under subsection (b), shall identify the portion of unexpended balances of the Division of Professional Licensure Trust Fund established in section 35V of chapter 10 that are allocated to the operations of the transferring boards, including but not limited to payment of salaries, wages, fringe and indirect costs, and all compensation for those employees identified in subsection (i); administrative expenses; information technology expenses; and indirect expenses. Notwithstanding any general or special law to the contrary, upon transfer of the transferring boards, the comptroller shall transfer such portion of the unexpended balances of the Division of Professional Licensure Trust Fund established in section 35V of chapter 10 of the General Laws to the Quality in Health Professions Trust Fund established in section 35X of chapter 10 of the General Laws.

(h) The comptroller shall take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds provided for in subsection (g).

The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the chairs of the house and senate committees on ways and means.

(i) The transfer agreement required under subsection (b) shall identify the number of allocated employees of the division, rounded to the nearest full time employee equivalent, who are engaged in the work of the transferring boards, in whole or in part, including but not limited to licensing functions, investigation, prosecution and adjudication. Notwithstanding any general or special law to the contrary, an equivalent number of division employees shall become employees of the department upon the execution of the transfer agreement required under subsection (b) or 18 months after the effective date of this act, whichever occurs first. The employees selected to transfer from the division to the department shall have been engaged in the work of the transferring boards, in whole or in part, prior to the transfer.

All officers and employees of the division transferred to the department as required under subsection (i) shall be transferred without impairment of seniority, retirement or other statutory rights of employees, without loss of accrued rights to holidays, sick leave, vacation and other benefits, and without change in union representation or certified collective bargaining unit as certified by the state labor relations commission or in local union representation or affiliation, except as otherwise provided in this act. Terms of service of employees shall not be deemed to be interrupted by virtue of transfer to the department.

Nothing in this section shall be construed to confer upon any employee of the division transferred to the department as required under subsection (i) any right not held immediately before the date of said transfer or to prohibit any reduction of salary grade, transfer,

reassignment, suspension, discharge, layoff or abolition of position not prohibited before such date.

(j) Notwithstanding any general or special law to the contrary, the terms and conditions of any collective bargaining agreement that is in effect upon the transfer with respect to employees of the division transferred to the department as required under subsection (i) shall continue in effect until the stated expiration date of such agreement, at which point the agreement shall expire; provided, however, that all such employees shall continue to retain their right to collectively bargain under chapter 150E of the General Laws and shall be considered employees of the department.

SECTION 127. Sections 7, 9, 13 to 18, 47, 49, 61 to 62, 64, 119, and 126 shall take effect upon the execution of a transfer agreement between the division of occupational licensure and department of public health or 18 months after the effective date of this act, whichever occurs first.

SECTION 128. Sections 1 to 6, 8, 10 to 12, 19 to 46, 48, 50 to 60, 63, 65 to 118, and 120 to 125 of this act shall take effect as soon as it has the force of law under subsection (c) of section 2 of Article LXXXVII of the Amendments to the Constitution.