

HOUSE No. 4670

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 2022.

The committee on Covid-19 and Emergency Preparedness and Management to whom was referred the petition (accompanied by bill, Senate, No. 252) of Eric P. Lesser for legislation to establish the Commission of Inquiry on the Commonwealth of Massachusetts' response to and recovery from the COVID-19 crisis, the petition (accompanied by bill, House, No. 499) of David M. Rogers, Susan L. Moran and Elizabeth A. Malia for an investigation by a special commission (including members of the General Court) relative to the response of the Commonwealth to the COVID-19 pandemic, and the petition (accompanied by bill, House, No. 500) of Jon Santiago and others for legislation to establish a special commission to conduct a study of the Commonwealth's COVID-19 response and subsequent recovery, reports recommending that the accompanying bill (House, No. 4670) ought to pass.

For the committee,

WILLIAM J. DRISCOLL, JR..

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

An Act establishing a commission to study the Commonwealth's response to the COVID-19 pandemic.

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. (a) There is hereby established a special legislative commission pursuant to
2 section 2A of chapter 4 of the General Laws to investigate and make recommendations regarding
3 the commonwealth's response to the COVID-19 pandemic.

4 (b) The commission shall consist of the following 17 members: 2 of whom shall
5 be the house and senate chairs of the joint committee on COVID-19 and emergency preparedness
6 and management, or their designees, who shall serve as co-chairs; 1 member of the house of
7 representatives to be appointed by the speaker of the house; 1 member of the senate to be
8 appointed by the president of the senate; 5 members appointed by the governor; 1 of whom shall
9 be medical professional with experience in COVID treatment and response from a teaching
10 hospital, 1 of whom shall be a medical professional with experience in COVID treatment and
11 response from a community hospital, 1 of whom shall be a medical professional with experience
12 in COVID treatment and response from a community health center; provided, that 1 of the 3
13 medical professionals shall be registered nurse, and 2 of whom shall have expertise in racial and

14 ethnic health disparities ; 6 members appointed by the co-chairs, 1 of whom shall have expertise
15 in epidemiology, 1 of whom shall have expertise in infectious disease, 1 of whom shall have
16 expertise in public health, 1 of whom shall have health responsibilities on behalf of a city, 1 of
17 whom shall have health responsibilities on behalf of a town, and 1 of whom shall have expertise
18 in emergency management. The co-chairs may appoint up to two additional members to fulfill
19 the purpose and goals of the commission. In making appointments, the appointing authorities
20 shall strive for racial, ethnic, gender and geographic diversity among the members of the
21 commission.

22 (c) The commission shall (i) investigate the facts and circumstances related to the
23 outbreak and spread of COVID-19 in Massachusetts and the response by the state with respect to
24 any relevant legislation, regulation, plan, policy, or executive order; (ii) investigate the
25 efficiency, effectiveness, equity and transparency of the use of state funds and relief programs to
26 address COVID-19, including through federal agencies, state and local government entities,
27 financial institutions and other private businesses, grants, loans, investments or other means; (iii)
28 investigate the preparedness for and response to COVID-19, including the planning for and
29 implementation of testing, containment, mitigation, contact tracing activities, and the acquisition
30 and distribution of protective equipment and medical supplies; (iv) investigate the economic and
31 social impact of COVID-19 on individuals, communities, small businesses, health care
32 providers, the state, and local government entities; (v) investigate any disparate impacts of
33 COVID-19 on different communities and populations, including racial and ethnic minorities,
34 senior citizens, and other vulnerable or historically disadvantaged populations; (vi) investigate
35 the use and public health impact, effectiveness, and social and economic cost of social distancing
36 practices, stay-at-home directives, school and business closures, disruptions to childcare, and

37 other measures adopted to contain the virus; (vii) review the efficacy of public outreach to
38 inform and protect Massachusetts residents; (viii) investigate any disparate impacts in nursing
39 homes and long-term care facilities in the state; and (ix) identify lessons learned from the
40 outbreak and from the response by the state, including the coordination, management, policies,
41 procedures, public outreach, and actions of federal, state and local governments and non-
42 governmental entities in preparing for, detecting, preventing, and responding to COVID-19 and
43 (x) any other concerns relevant to the purpose of the commission.

44 (d) The commission shall have the power to issue subpoenas to compel the
45 attendance of witnesses and the production of documents, papers, books, records and other
46 evidence relating to any matter under investigation. The commission shall have the power to
47 administer oaths and affirmations to persons whose testimony is required.

48 (e) No later than 1 year after the effective date of this act, the commission shall
49 submit a report of its findings and recommendations to the legislature, including, if applicable,
50 drafts of legislation necessary to effectuate those recommendations.