

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jack Patrick Lewis, (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 promoting information sharing among nonprofit service providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Blais</i>	<i>23 Howard Street, Braintree, MA 02184</i>	<i>9/21/2021</i>

HOUSE No.

By Mr. Lewis of Framingham (by request), a petition (subject to Joint Rule 12) of David Blais relative to information sharing among nonprofit service providers. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

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

An Act promoting information sharing among nonprofit service providers.

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. Chapter 6A of the General Laws is hereby amended by inserting after
2 section 16CC the following section:-

3 Section 16DD. (a) As used in this section the following terms shall, unless the context
4 clearly requires otherwise, have the following meanings:

5 “Nonprofit service provider”, a charitable corporation constituting a public charity
6 organized pursuant to chapter 180 or a nonprofit or charitable organization or an individual
7 branch or division of a nonprofit or charitable organization exempt from taxation under section
8 501(c)3 of the federal Internal Revenue Code that provides social services, including, but not
9 limited to: housing, food insecurity, child care, education, fuel assistance, substance abuse
10 services, mental health assistance, job training, English language education, literacy education,
11 transportation, financial literacy, elder services and immigration services.

12 “Personal data”, as defined in section 1 of chapter 66A.

13 “Shared client data bank” or “data bank”, a single centralized, shared repository of
14 nonprofit service provider client information; provided, that no client information in the data
15 bank shall be a public record as defined in clause Twenty-sixth of section 7 of chapter 4.

16 “State authority”, as defined in section 1 of chapter 29.

17 (b) There shall be a fee, to be determined by the secretary of health and human services,
18 payable by a nonprofit service provider at the time of application for a grant program or loan
19 administered by a state agency or state authority. The fee shall be deposited in the Healthy
20 Communities Trust Fund established in section 2LLLLL of chapter 29.

21 (c) A nonprofit service provider shall only be eligible for a state contract to provide
22 services, grants or loans administered by a state agency or state authority, including but not
23 limited to any programs included in the general appropriation act, if they are a member of the
24 shared client data bank.

25 (d) The executive office of health and human services shall establish and implement a
26 shared client data bank. The data bank shall enable clients of nonprofit service providers to
27 submit a standardized application for services through a centralized internet website, nonprofit
28 service provider or the data bank. A client may designate a preference for nonprofit service
29 providers from which to receive services.

30 The secretary shall provide the client with a data bank identification card for use at
31 nonprofit service providers within 30 days of receiving the client’s information. A nonprofit
32 service provider shall accept a data bank identification card for the purposes of verification for
33 services provided by the nonprofit, except where prohibited by federal law.

34 (e) Upon the client's written, informed consent, the data bank may provide client
35 personal data to nonprofit service providers that are members of the bank. The data bank shall
36 protect client information in accordance with state and federal laws regarding personal data,
37 including but not limited to chapter 66A.

38 SECTION 2. Chapter 29 of the General Laws is hereby amended by inserting after
39 section 2KKKKK, as inserted by section 1 of chapter 254 of the acts of 2020, the following
40 section:-

41 Section 2LLLLL. There shall be established and set up on the books of the
42 commonwealth a separate fund to be known as the Healthy Communities Trust Fund, hereafter
43 referred to as the fund. The fund shall provide, without prior appropriation, funds to support the
44 shared client data bank for nonprofit service providers, as provided in section 16DD of chapter
45 6A.

46 There shall be credited to the fund revenues received from fees paid by nonprofit service
47 providers at the time of application for a grant program or loan administered by a state agency or
48 state authority. The secretary of health and human services shall administer the fund.

49 No expenditure from the fund shall cause the fund to be in deficiency at the close of a
50 fiscal year. Monies deposited in the fund that are unexpended at the end of the fiscal year shall
51 not revert to the General Fund and shall be available for expenditure in the subsequent fiscal
52 year.

53 The secretary of health and human services shall deposit all revenue received pursuant to
54 subsection (b) of section 16DD of chapter 6A into the fund. Annually, not later than October 1,
55 the secretary of health and human services shall report to the clerks of the house of

56 representatives and the senate, the house and senate committees on ways and means, the joint
57 committee on housing, the joint committee on children, families and persons with disabilities and
58 the joint committee on mental health, substance abuse and recovery on the fund's activity.