The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 accountability for vulnerable children and families.

PETITION OF:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
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<tr>
<td>Joan B. Lovely</td>
<td>Second Essex</td>
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<tr>
<td>Kay Khan</td>
<td>11th Middlesex</td>
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<tr>
<td>Susan L. Moran</td>
<td>Plymouth and Barnstable</td>
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<tr>
<td>Vanna Howard</td>
<td>17th Middlesex</td>
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<tr>
<td>Michael O. Moore</td>
<td>Second Worcester</td>
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<td>Sal N. DiDomenico</td>
<td>Middlesex and Suffolk</td>
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By Ms. Lovely, a petition (accompanied by bill, Senate, No. 32) of Joan B. Lovely, Kay Khan, Susan L. Moran, Vanna Howard and others for legislation relative to accountability for vulnerable children and families. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

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

An Act relative to accountability for vulnerable children and families.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to which is to provide for reports to the general court by the department of children and families, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The second sentence of the second paragraph of section 16P of chapter 6A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out clause (iii) and inserting in place thereof the following clause:- (iii) the data reported by the department of mental health under section 24 of chapter 19.

SECTION 2. Section 6A of chapter 18B of the General Laws, as so appearing, is hereby amended by striking out the last paragraph.

SECTION 3. Section 7 of said chapter 18B, as so appearing, is hereby amended by striking out paragraph (e).
SECTION 4. Section 20 of said chapter 18B, as so appearing, is hereby amended by striking out the second sentence.

SECTION 5. Section 23 of said chapter 18B, added by section 45 of chapter 176 of the acts of 2008, is hereby repealed.

SECTION 6. Section 23 of said chapter 18B, added by section 8 of chapter 321 of the acts of 2008, is hereby amended by striking out the sixth sentence.

SECTION 7. Section 24 of said chapter 18B is hereby repealed.

SECTION 8. Section 25 of said chapter 18B is hereby repealed.

SECTION 9. Said chapter 18B is hereby further amended by adding the following 4 sections:-

Section 26. (a)(1) Annually, not later than October 31, the department shall issue a report that provides an overview of the department’s performance during the previous fiscal year. The commissioner or a designee shall file the report with the governor, the child advocate, the clerks of the senate and house of representatives, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities. The commissioner shall provide the recipients of the report with an opportunity to discuss its contents with the commissioner or the designee. The report shall be made publicly available on the department’s website in accordance with section 19 of chapter 66.

(2) The report shall include, but not be limited to, narratives, information, data and analysis on: (i) counts, including but not limited to: (A) case counts; (B) consumer counts; (C) consumer demographic information, including age, race, ethnicity, primary language, gender
identity and sexual orientation; (D) rates of disproportionality including, but not limited to, race, 
ethnicity, gender identity and sexual orientation; (E) the number of reports filed pursuant to 
section 51A of chapter 119; (F) placement metrics; (G) the number of infants brought into the 
department’s care pursuant to section 39½ of chapter 119; and (H) the number of siblings in 
placement; (ii) safety processes and outcomes including, but not limited to: (A) safety outcomes, 
(B) permanency processes and outcomes; (C) the rates of adoptions by race, ethnicity, gender 
identity and sexual orientation of the child; (D) well-being outcomes, including the rates and 
timeliness of the delivery of medical and behavioral health services and high school graduation 
rates; and (iii) operations, including but not limited to: (A) staffing trends; (B) caseloads; (C) the 
department’s budget, including funding levels; (D) service costs; (E) medical services and 
advancements in providing medical services to children and young adults in the department’s 
care; (F) amounts expended for foster care, adoptive and guardianship families to provide 
assistance, including financial assistance, to provide for the care of children; and (G) the foster 
care review system and any recommendations for its improvement; (H) services and 
accommodations available to caregivers and children who are individuals with disabilities; (I) the 
department’s ombudsman including, but not limited to, a summary of the complaints filed by 
type of complaint and complaints by area office which is primarily involved with the complaint 
and involved case; and (J) any new or ongoing initiatives to improve practices, procedures and 
policy of the department. The report shall also include comparative departmental information 
from prior fiscal years.

(b)(1) Quarterly, not more than 60 days after the end of each fiscal quarter, the 
department shall issue a quarterly profile on its website in accordance with section 19 of chapter 
66 that shall include, but not be limited to, departmental, regional office and area office data on:
(i) consumer counts; (ii) the number of reports filed pursuant to section 51A of chapter 119, including counts of reports received, screened-in and screened-out in the quarter; (iii) department case counts, including counts of clinical and adoption cases in the quarter; (iv) consumer demographic information, including age, race, ethnicity, primary language, gender identity and sexual orientation; (v) counts of children and youth in placement; and (vi) counts of children and youth not in placement.

(2) The commissioner or a designee shall notify the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities when data from a profile issued pursuant to paragraph (1) significantly departs from trends reported in previous profiles.

(c) The commissioner or a designee shall notify the joint committee on children, families and persons with disabilities when draft regulations are made available by the department for public comment. Not more than 30 days after the promulgation of regulations or the effective date of adopted or revised departmental policies relative to services provided to children and families, the department shall provide copies of the regulations or departmental policies to the joint committee on children, families and persons with disabilities.

(d) If the department is unable to submit the report under subsection (a), issue the profile under subsection (b) or any other legislatively mandated reports by the respective deadlines, the commissioner or the commissioner’s legal counsel shall, in writing, notify the governor, the child advocate, the clerks of the senate and house of representatives, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities and provide an explanation for the delay.
(e) The department, in consultation with the general court and other governmental and nongovernmental partners, shall establish a 3-year plan that shall include numerical targets for the department’s performance in each year and in each of its regions in the areas of safety, permanence and well-being. The plan shall include a description of how the department will measure its progress toward meeting the numerical targets and may include different targets for different regions. Annually, not later than March 31, the department shall update the plan.

Annually, not later than December 31, the department shall measure its performance in meeting the targets established in the 3-year plan for the commonwealth as a whole and for each of its regions consistent with the methodology described in the plan.

The department shall publish and prominently maintain on its website the current plan, the targets for previous years and the department’s performance in meeting those targets.

If in a fiscal year the department is unable to develop or update the 3-year plan or measure its performance, the department shall notify the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities, the child advocate, the chief counsel of the committee for public counsel services, the executive director of the Massachusetts Law Reform Institute, Inc. and the executive director of the Children’s League of Massachusetts, Inc. not later than September 1 of that fiscal year.

(f) (1) In the event of a declaration of a state of emergency in the Commonwealth the department shall provide the house and senate ways and means committees and joint committee on children, families and persons with disabilities with data reports relevant to the state of emergency’s impact on the department, it’s operations, programs and consumers. The department shall provide data reports to the chairs of the said committees not less than once a
month from the declaration and until 60 days after the termination. If said state of emergency
makes this timeline unattainable, the department shall follow the procedures of subsection (d).
The report shall be made publicly available on the department’s website in accordance with
section 19 of chapter 66.

(2) The report shall include, but not be limited to, (i) demographic information on
consumers impacted by the state of emergency including but not limited to consumers who
report their illness to the department or lose their home due to a natural or manmade disaster; (ii)
the number of reports and substantiated reports made that month to the department pursuant to
said section 51A of said chapter 119 and comparative data on the number of reports made to the
department for the same time period in prior years before the declaration of the state of
emergency; (iii) the number of reports and substantiated reports that were filed by mandated
reporters, including the number of reports filed by each category of mandated reporter; (iv)
intake and home removal episodes as a result of said reports; and (v) case closures and exits from
care.

(3) The department may conduct surveys of consumers in order to collect data during said
state of emergency and after its conclusion. Non identifiable survey data may include but is not
limited to questions on presumption or positive test results of widespread illness. Identifiable
survey data may be collected in order to adequately provide for the needs of its consumers, this
may include but is not limited to questions on food insecurity, housing insecurity, educational
needs, technology needs and internet and phone service capacity, other needs.

Section 27. Annually, not later than October 31, the department shall submit a special
report on services provided to young adults over the age of 18 to the child advocate, the clerks of
the senate and house of representatives, the house and senate committees on ways and means and
the joint committee on children, families and persons with disabilities. The report shall
summarize the process by which a young adult may continue to receive services from the
department upon reaching the legal adult age of 18. The report shall also include, but not be
limited to: (i) the number of young adults who have elected to sustain a connection with the
department in the previous fiscal year; and (ii) the number of young adults who have elected not
to remain with the department and have transitioned out of the child welfare system in the
previous fiscal year, including young adults who had previously elected to sustain a connection
with the department, if such numbers are available. The department may satisfy the reporting
requirements of this section by providing the requested information in an annual report filed
under section 26.

Section 28. Annually, not later than August 31, the department shall file a special report
on its fair hearing processes and cases with the child advocate, the clerks of the senate and house
of representatives, the house and senate committees on ways and means and the joint committee
on children, families and persons with disabilities. The report shall be made available to the
public electronically in accordance with section 19 of chapter 66.

The report shall include, but not be limited to, information on the fair hearing requests
open at any time during the previous fiscal year and shall provide, for each hearing request: (i)
the subject matter of the appeal; (ii) the outcomes of cases resolved prior to a fair hearing
decision; (iii) the number of days between the hearing request and the first day of the hearing;
(iv) the number of days between the close of the evidence and the hearing officer’s decision; (v)
the number of days of continuance granted at the appellant’s request; (vi) the number of days of
continuance granted at the request of the department or the hearing officer, specifying which
party made the request; and (vii) whether the department’s decision that was the subject of the
appeal was affirmed or reversed; provided, however, that the information shall be in a form that
shall not include personally-identifiable information.

The department shall maintain and make available to the public during regular business
hours, a record of its fair hearings that shall include, for each hearing request: (i) the date of the
request; (ii) the date of the hearing decision; (iii) the decision rendered by the hearing officer;
and (iv) the final decision rendered upon the commissioner’s review; provided, however, that the
information shall be in a form that shall not include personally identifiable information. For fair
hearing requests that are pending for more than 180 days at any time during the fiscal year,
except for those requests which have been stayed at the request of the district attorney, the report
shall provide the number of such cases, how many have been heard but not decided and how
many have been decided by the hearing officer but not yet issued a final agency decision.

If there are more than 225 fair hearing requests open for more than 180 days at the end of
any month during the first 6 months of a fiscal year, then an additional report of such requests
shall be provided not later than February 28. The department shall make redacted copies of fair
hearing decisions available not later than 30 days after a written request.

Section 28. Notwithstanding any general or special law to the contrary, any social service
program, as defined by section 22N of chapter 7, or any program or service that is reimbursable
under Title XIX of the federal Social Security Act that is providing services to a child who is in
the custody of or receiving services from the department or is providing services to a young adult
or adult receiving services from the department, shall provide the department with information
not more than 5 business days after receiving a request for information from a department social
worker for the purposes of conducting a collateral check; provided, however, that programs or
services shall comply with all applicable state and federal privacy requirements, including those
imposed by the federal Health Insurance Portability and Accountability Act of 1996, P.L. 104–
2.11 et seq. and 45 C.F.R. §§ 160, 162 and 164.

SECTION 10. The fourth paragraph of subsection (e) of section 26 of said chapter 18B,
as appearing in section 9, is hereby amended by inserting after the word “services” the following
words: , the executive director of the legal services organization that is participating in the data
work group under subsection (f).

SECTION 11. Said section 26 of said chapter 18B, as so appearing, is hereby further
amended by adding the following subsection:-

(g) A task force for the continued review of child welfare data reporting shall convene
every 2 years to make recommendations for improvements to the report and profile required
under subsections (a) and (b) and any other legislatively mandated reports, or the data measures,
progress measures, and outcome measures pursuant to section 128 of chapter 47 of the acts of
2017. The task force shall consist of the following persons or their designees: the child advocate,
who shall serve as co-chair; the commissioner, who shall serve as co-chair; the chairs of the
house and senate committees on ways and means; the chairs of the joint committee on children,
families and persons with disabilities; 1 member of the senate to be appointed by the minority
leader of the senate; 1 member of the house of representatives to be appointed by the minority
leader of the house of representatives; the chief counsel of the committee for public counsel
services; the executive director of Children’s League of Massachusetts, Inc.; the executive
director of a legal services program to be appointed by the governor; 1 person with expertise in disability law and advocacy to be appointed by the governor; 1 person with expertise in juvenile justice to be appointed by the governor; 1 person with expertise in child welfare data and outcome measurement to be appointed by the child advocate; 1 person with experience working with or representing LGBTQIA+ youth and families to be appointed by the child advocate; 1 person with experience in working or providing services to youth and young adults who have experienced foster care to be appointed by the child advocate; 1 person with expertise working with youth of color involved with the department to be appointed by the child advocate; 1 person who is a current or recently former caseworker for the department to be appointed by SEIU 509, or a successor organization representing social workers; and 1 person with expertise in the department’s information technology, data collection and reporting systems to be appointed by the commissioner of children and families. The task force shall consult with other individuals with relevant expertise, including academics, researchers and service providers, as needed.

Not later than December 31 in every even-numbered year, the task force shall file a report on its recommendations, together with drafts of any legislation necessary to carry its recommendations into effect, with the clerks of the senate and house of representatives, the senate and house committees on ways and means and the joint committee on children, families and persons with disabilities.

SECTION 12. Section 5 of chapter 18C of the General Laws, as so appearing, is hereby amended by adding the following subsections:-

(i) The child advocate shall report to the governor, the attorney general, the speaker of the house of representatives and the senate president following any full-scale investigation by the
child advocate of a critical incident pursuant to this section that involves the death or serious
injury of a child, due to a reasonable belief that an act or omission of an executive agency or
contracted provider contributed to the harm suffered by the child

(j) The child advocate shall, after reasonable notice to the governor, the attorney general,
the speaker of the house of representatives, the senate president and any affected agency, make
any full-scale investigation publicly available.

SECTION 13. Section 15A of chapter 75 of the General Laws, as appearing in the 2018
Official Edition, is hereby amended by striking out the third paragraph and inserting in place
thereof the following paragraph:-

The center shall maintain the confidentiality of any individual whose personal
information is made available to the center pursuant to section 7 of chapter 15D, but compliance
with individual confidentiality as required by this section shall not prevent the publication of
aggregated research information or case studies in which personal identifiers have been removed.

SECTION 14. Subsection (f) of section 23 of chapter 119 of the General Laws, as so
appearing, is hereby amended by striking out the last sentence.

SECTION 15. Subsection (h) of said section 23 of said chapter 119, as so appearing, is
hereby further amended by striking out the second paragraph.

SECTION 16. Said section 23 of said chapter 119, as so appearing, is hereby further
amended by adding the following subsection:-

(j) The commissioner shall establish and periodically update an internal review policy to
require a review prior to a determination to reunify a child with their family. Members of the
review shall include, but not be limited to: (i) the social worker with direct case responsibility for
the child or young adult whose case is being reviewed; (ii) the immediate supervisor of the social
worker; (iii) counsel from the area office; and (iv) the area director. The review shall include, but
not be limited to, the child’s foster care review cases and collateral checks consistent with the
ongoing casework and documentation policy. The outcome of the review and all accompanying
notes and files shall be included in the case records of the child.

SECTION 17. Section 29 of said chapter 119, as appearing in the 2018 Official Edition, is hereby amended by inserting after the second paragraph the following 2 paragraphs:–

Not less than 5 business days before any non-emergency change in a child’s or a young
adult’s placement or any non-emergency hospitalization and not more than 1 business day after
any emergency change in a child’s or a young adult’s placement or any emergency
hospitalization, the department shall provide notice of the change in placement or hospitalization
to the child’s or the young adult’s attorney.

If the department receives a report pursuant to section 51A, the department shall notify
the attorney of the child or young adult involved in the reported incident not more than 1
business day after the department’s receipt of the report.

SECTION 18. Section 39½ of said chapter 119, as so appearing, is hereby amended by
striking out the eighth paragraph.

SECTION 19. Section 51D of said chapter 119, as so appearing, is hereby amended by
striking out the eighth paragraph.
SECTION 20. Section 51E of said chapter 119, as so appearing, is hereby amended by striking out, in line 2, the figure “51D” and inserting place thereof the following figure: - 51C.

SECTION 21. Section 5E of chapter 210 of the General Laws is hereby repealed.

SECTION 22. Chapter 47 of the acts of 2017 is hereby amended by striking out section 128 and inserting in place thereof the following section: -

Section 128. There shall be a task force on child welfare data reporting. The task force shall develop basic data measures, progress measures and key outcome measures to inform the general court and the public on the status and demographics of the caseload of the department of children and families and the department’s progress in achieving child welfare goals, including safety, permanency and well-being.

The task force shall develop criteria for measuring outcomes for children and families in the key child welfare domains of safety, permanency and well-being including, but not limited to, outcomes relative to: (i) protecting children from abuse and neglect; (ii) safely maintaining children in their own homes whenever possible and appropriate; (iii) achieving stability and permanency for children in their living situations; (iv) preserving the continuity of family relationships; (v) enhancing the capacity of families to provide for the needs of children; (vi) ensuring that children receive appropriate services to meet their educational needs; (vii) ensuring that children receive the services necessary to meet their physical and mental health needs; and (viii) achieving permanency and opportunity for young adults. The task force shall make recommendations to: (i) ensure that the department of children and families’ reports and profiles required under section 26 of chapter 18B of the General Laws include data measures that are clearly defined and provided with adequate context to convey the meaning of reported data and
the department’s understanding of the meaning of trends that may appear in that data; (ii) eliminate reports that are no longer necessary; (iii) revise existing reports; and (iv) ensure that reports are timely submitted and made available electronically in accordance with public records laws.

The task force shall also make recommendations relative to: (i) the continued development of the reports and profiles required under section 26 of chapter 18B of the General Laws; (ii) the resources required of the department to develop and produce said reports and profiles; and (iii) priorities for the department’s public reporting requirements as they relate to addressing: (A) questions underlying legislative reporting requirements relative to foster care review, residential care, services for young adults over the age of 18, educational and placement stability, kinship guardianship subsidies and any other reporting requirements not included in the reports and profiles under said section 26 of said chapter 18B; (B) questions that the department is currently unable to address with existing departmental data including, but not limited to, families with multiple siblings in the department’s care; (C) questions concerning the department’s delivery of services including, but not limited to, support and stabilization and the effectiveness of such services; (D) questions concerning the department’s outcomes and the development of accurate benchmarks to measure those outcomes; (E) racial disproportionality at decision points in the departmental process by area office; (F) services and supports for transition age youth; (G) questions concerning the behavioral health and educational impacts on children under the care and custody of the department as a result of the outbreak of the 2019 novel coronavirus, also known as COVID-19; (H) questions resulting from the effect of virtual and video technology on services during the outbreak of the 2019 novel coronavirus, also known as COVID-19;
The task force shall consist of the following persons or their designees: the child advocate, who shall serve as co-chair; the commissioner of children and families, who shall serve as co-chair; the chairs of the house and senate committees on ways and means; the chairs of the joint committee on children, families and persons with disabilities; the chief counsel of the committee for public counsel services; the executive director of the Children’s League of Massachusetts, Inc.; the executive director of a legal services program to be appointed by the governor; 1 person with expertise in child welfare data and outcome measurement to be appointed by the child advocate; and 1 person with expertise in the department of children and families’ information technology, data collection and reporting systems to be appointed by the commissioner of children and families. The task force shall consult with other individuals with relevant expertise, including academics, researchers and service providers, as needed. The task force shall consult with the secretaries of agencies that address issues directly affecting the child welfare caseload or outcomes, including, but not limited to, substance use disorders, domestic violence, mental health, homelessness and education, to determine how best to review and report on agency data relevant to child welfare outcomes.

The task force shall meet not less than quarterly. Not later than January 31, 2022 the task force shall submit its final recommendations, together with drafts of any legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and house of representatives, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities.

SECTION 32. Item 4800-0015 of section 2 of chapter 227 of the acts of 2020 is hereby amended by striking out the words “provided further, that on December 27, 2020, and March 27, 2021, the department shall report to the house and senate committees on ways and means and the
joint committee on children, families and persons with disabilities on: (i) the fair hearing
requests filed in fiscal year 2020, using non-identifying information: to state, for each hearing
request: (a) the subject matter of the appeal; (b) the number of days between the hearing request
and the first day of the hearing; (c) the number of days between the first day of the hearing and
the hearing officer’s decision; (d) the number of days between the hearing officer’s decision and
the agency’s final decision; (e) the number of days of continuance granted at the appellant’s
request; (f) the number of days of continuance granted at the request of the department of
children and families or the hearing officer’s request, specifying which party made the request;
and (g) whether the department’s decision that was the subject of the appeal was affirmed or
reversed; and (ii) the fair hearing requests filed before fiscal year 2021, which are pending for
more than 180 days, stating the number of those cases, how many of those cases have been heard
but not decided and how many have been decided by the hearing officer but not yet issued as a
final agency decision; provided further, that the department shall maintain and make available to
the public, during regular business hours, a record of its fair hearings, with identifying
information removed, including for each hearing request: the date of the request, the date of the
hearing decision, the decision rendered by the hearing officer and the final decision rendered
upon the commissioner’s review; provided further, that the department shall make redacted
copies of fair hearing decisions available within 30 days of a written request; provided further,
that the department shall not make available any information in violation of federal privacy
regulations; provided further, that not later than February 28, 2021, the department shall submit a
report to the house and senate committees on ways and means and joint committee on children,
families and persons with disabilities that shall include, but not be limited to, the: (1) number of
medical and psychiatric personnel and their level of training currently employed by or under
contract with the department; (2) number of foster care reviews conducted by the department and the average length of time in which each review is completed; (3) the number of social workers and supervisors who have earned a bachelor’s or master’s degree in social work; (4) the total number of social workers and the total number of social workers holding licensure, by level; (5) number of the department’s contracts reviewed by the state auditor and the number of corrective action plans issued; and (6) number of corrective action plans entered into by the department; provided further, that on the first business day of each quarter, the department shall file a report with the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on the caseload of the department; provided further, that the report shall include, but not be limited to: (A) the caseloads of residential placements, congregate care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care, the number of children presently receiving supportive child care and the number of medical and psychiatric consultation requests made by the department’s social workers; (B) the number of approved foster care placements; (C) the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically necessary; (D) the number of children under the department of children and families’ care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; (E) the number of children served by supervised visitation centers and the number of those children who are reunified with their families; (F) the total number of children served, their ages, the number of children served in each service plan, the number of
children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; (G) for each area office, the number of kinship guardianship subsidies provided in the quarters covered by the report and the number of kinship guardianship subsidies provided in that quarter for which federal reimbursement was received; (H) for each area office, the total spending on services other than case management services provided to families to keep a child with the child’s parents or reunifying the child with the child’s parents, spending by the type of service including, but not limited to, the number of children and a breakdown of spending for respite care, intensive in-home services, client financial assistance and flexible funding, community-based after-school social and recreation program services, family navigation services and parent aide services and the unduplicated number of families that receive the services; (I) for each area office, the total number of families residing in shelters paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those shelters and a description of how the department determines who qualifies or does not qualify for a shelter; (J) for each area office, the number of requests for voluntary services broken down by type of service requested, whether the request was approved or denied, the number of families that were denied voluntary services and received a 51A report, the reasons for denying the service and what, if any, referrals were made for services by other agencies or entities; (K) the number of families receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then reenter an out-of-home placement within 6 months; (L) the number of children and families served by the family resource centers by area; and (M) the number of children within the care and custody of the department whose whereabouts are unknown; provided further, that not later than November 1, 2020, the
department shall submit a report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities that details any changes to rules, regulations or guidelines established by the department in the previous fiscal year to carry out its duties under chapter 119 of the General Laws including, but not limited to: (I) criteria used to determine whether a child has been abused or neglected; (II) guidelines for removal of a child from the home; and (III) standards to determine what reasonable efforts are being made to keep a child in the home; provided further, that on a monthly basis, the department of children and families shall provide the caseload forecasting office with data on children receiving services and other pertinent data related to items 4800-0038 and 4800-0041 that is requested by the office; provided further, that the report shall also contain the number of children and families served by the family resource centers by area and an evaluation of the services provided and their effectiveness.”.

SECTION 21. The department of children and families shall include data and narratives on the impacts of the 2019 novel coronavirus, also known as COVID-19 in their FY2021 and any relevant future annual reports pursuant to section 3A of chapter 18B. The department may provide this report independently of said annual report and prior to that filing deadline. The department shall include the impacts of COVID-19 on the department, its operations, programs and its consumers. The data and narratives shall include but is not limited to COVID-19’s impacts on (a) the number of reports and substantiated reports made that month to the department pursuant to said section 51A of said chapter 119 and comparative data on the number of reports made to the department for the same time period in prior years before COVID-19; (b) the number of reports and substantiated reports that were filed by mandated reporters, including the number of reports filed by each category of mandated reporter; (c) intake and home removal
(d) case closures and exits from care; (e) placements; (f) family visitations; (g) transition aged youth and youth over the age of 18 being served by the department; (h) educational wellbeing of child and youth consumers; (i) attendance and participation in school of child and youth consumers; (j) consumer technology and internet capacity; (k) transition to virtual service provided by the department and providers; (l) positive COVID-19 cases in congregate care; (m) in-person and virtual contact from social workers to individuals in their caseload; (n) information sharing between the department, staff and foster families; and (o) new guidance and policies issued by the department from March 2020 to October 2021 to respond to COVID-19.

SECTION 22. The commissioner of children and families shall identify potential modifications to specific policies, procedures, rules or protocols to improve the process of transferring cases involving multiple social workers or area offices to ensure the efficient and accurate transfer of case information and care for the child. The commissioner of children and families shall determine whether new policies or regulations are needed to improve the process of transferring cases between social workers or between area offices. The commissioner shall consult with the child advocate during this review.

Not later than November 15, 2021, the commissioner shall submit a report to the clerks of the senate and house of representatives, the senate and house committees on ways and means and the joint committee on children, families and persons with disabilities that shall include, but not be limited to: (i) the commissioner’s findings of the review, including an evaluation of how policies are implemented in each area office and barriers to transferring information and cases between social workers or area offices; (ii) the number of cases transferred between area offices in fiscal year 2021; (iii) the number of cases transferred between social workers within the same
area office in fiscal year 2021; (iv) any actions the department has taken, or plans to take, to
address barriers to transferring information and cases between social workers and area offices,
including changes to policies and regulations; and (v) proposed legislation that may improve
stability for children whose cases involve multiple social workers or area offices, if applicable.

SECTION 23. The board of registration of social workers shall report on the barriers
prospective social workers face entering the profession as a social worker, as defined in section
130 of chapter 112 of the General Laws, due to the licensure examination. The report shall
include information about the individuals who took the examination in 2019 including, but not
limited to: (i) the total number of individuals, broken down by each licensure type; (ii) aggregate
data on the age, race, ethnicity and primary language of such individuals; (iii) the total number of
such individuals who reported a learning disability or other disability; and (iv) in a de-identified
form, the number of such individuals who, in 2019, were taking the examination for the first,
second, third, fourth or greater time, broken down by licensure type. Additionally, the report
shall include a description of the accommodations offered for individuals with disabilities and
individuals whose primary language is a language other than English.

Not later than October 31, 2021, the board shall submit the report to the senate and house
committees on ways and means and the joint committee on children, families and persons with
disabilities, including any recommendations on how to eliminate any cultural and implicit bias
related to entry into the profession as a social worker, including as it relates to the licensure
examination.

SECTION 24. The 3-year plan required in subsection (e) of section 26 of chapter 18B of
the General Laws shall be submitted not later than March 31, 2023.
SECTION 25. Sections 10 and 11 shall take effect February 1, 2022.

SECTION 26. Section 32 shall take effect July 1, 2021.