HOUSE DOCKET, NO. 1014 FILED ON: 1/17/2023

HOUSE . . . . . No. 191

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 a livable wage for human services workers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kay Khan	*11th Middlesex*	*1/17/2023*
James K. Hawkins	*2nd Bristol*	*1/27/2023*
Sean Garballey	*23rd Middlesex*	*1/30/2023*
Angelo J. Puppolo, Jr.	*12th Hampden*	*1/30/2023*
Mathew J. Muratore	*1st Plymouth*	*1/30/2023*
Susannah M. Whipps	*2nd Franklin*	*1/30/2023*
Patrick M. O'Connor	*First Plymouth and Norfolk*	*1/30/2023*
Michael D. Brady	*Second Plymouth and Norfolk*	*1/30/2023*
Brian W. Murray	*10th Worcester*	*1/30/2023*
David Henry Argosky LeBoeuf	*17th Worcester*	*1/31/2023*
James C. Arena-DeRosa	*8th Middlesex*	*1/31/2023*
Michael P. Kushmerek	*3rd Worcester*	*2/1/2023*
Thomas P. Walsh	*12th Essex*	*2/2/2023*
Ryan M. Hamilton	*15th Essex*	*2/2/2023*
William J. Driscoll, Jr.	*7th Norfolk*	*2/3/2023*
Steven Owens	*29th Middlesex*	*2/5/2023*
David Allen Robertson	*19th Middlesex*	*2/6/2023*
Joseph D. McKenna	*18th Worcester*	*2/6/2023*

Jack Patrick Lewis	*7th Middlesex*	*2/6/2023*
James J. O'Day	*14th Worcester*	*2/6/2023*
Natalie M. Higgins	*4th Worcester*	*2/6/2023*
Thomas M. Stanley	*9th Middlesex*	*2/7/2023*
Christopher Hendricks	*11th Bristol*	*2/7/2023*
David Paul Linsky	*5th Middlesex*	*2/8/2023*
Tricia Farley-Bouvier	*2nd Berkshire*	*2/8/2023*
Jennifer Balinsky Armini	*8th Essex*	*2/8/2023*
Brian M. Ashe	*2nd Hampden*	*2/9/2023*
Colleen M. Garry	*36th Middlesex*	*2/13/2023*
Margaret R. Scarsdale	*1st Middlesex*	*2/13/2023*
Peter Capano	*11th Essex*	*2/14/2023*
Samantha Montaño	*15th Suffolk*	*2/14/2023*
Carol A. Doherty	*3rd Bristol*	*2/20/2023*
Adrian C. Madaro	*1st Suffolk*	*2/21/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*2/22/2023*
Rodney M. Elliott	*16th Middlesex*	*2/26/2023*
Tram T. Nguyen	*18th Essex*	*2/27/2023*
Christopher M. Markey	*9th Bristol*	*2/28/2023*
Jonathan D. Zlotnik	*2nd Worcester*	*3/1/2023*
Michelle L. Ciccolo	*15th Middlesex*	*3/2/2023*
Christopher J. Worrell	*5th Suffolk*	*3/8/2023*
James Arciero	*2nd Middlesex*	*3/9/2023*
Paul McMurtry	*11th Norfolk*	*3/13/2023*
Tommy Vitolo	*15th Norfolk*	*3/15/2023*
Bud L. Williams	*11th Hampden*	*3/17/2023*
Jacob R. Oliveira	*Hampden, Hampshire and Worcester*	*3/22/2023*
Carlos González	*10th Hampden*	*3/22/2023*
Carole A. Fiola	*6th Bristol*	*3/29/2023*
Dawne Shand	*1st Essex*	*3/30/2023*
Antonio F. D. Cabral	*13th Bristol*	*4/5/2023*
Daniel M. Donahue	*16th Worcester*	*4/21/2023*
Estela A. Reyes	*4th Essex*	*5/17/2023*
Joan B. Lovely	*Second Essex*	*5/22/2023*
David T. Vieira	*3rd Barnstable*	*5/22/2023*
F. Jay Barrows	*1st Bristol*	*5/23/2023*
John Barrett, III	*1st Berkshire*	*5/30/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*5/31/2023*
Vanna Howard	*17th Middlesex*	*6/1/2023*

Carmine Lawrence Gentile	*13th Middlesex*	*6/1/2023*
Patricia A. Duffy	*5th Hampden*	*6/14/2023*
Russell E. Holmes	*6th Suffolk*	*10/16/2023*
Mindy Domb	*3rd Hampshire*	*12/18/2023*
Marcus S. Vaughn	*9th Norfolk*	*1/24/2024*

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HOUSE . . . . . No. 191

By Representative Khan of Newton, a petition (accompanied by bill, House, No. 191) of Kay Khan and others relative to a livable wage for human services workers. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to a livable wage for human services workers.

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. Chapter 6A of the General Laws, as so appearing in the 2020 Official Edition, is hereby amended by adding the following section:-

Section 105. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Human service provider," a community-based human services organization with a human services program funded by the Executive Office of Health and Human Services, the Executive Office of Elder Affairs or the Department of Housing and Community Development.

"Human services worker," an employee of a human service provider who provides treatment, support or services to clients or their families.

"Disparity amount," the monetary calculation of the average difference in salary between human services workers and 1) direct care workers, nurses, clinicians or other comparable employees employed by the commonwealth's state-operated programs for human services;

"Rate," the reimbursement rate paid by the Executive Office of Health and Human Services, the Executive Office of Elder Affairs and the Department of Housing and Community Development to a human service provider to deliver services to clients on the Commonwealth's behalf.

(b) Notwithstanding any general or special law to the contrary, the Executive Office of Health and Human Services, the Executive Office of Elder Affairs and the Department of Housing and Community Development shall increase the rate of reimbursement for human services providers by an amount that reduces the disparity amount, as defined by subsection (a), to:

(1) 50 percent on or before July 1, 2024

(2) 30 percent on or before July 1, 2025

(3) 10 percent on or before July 1, 2026

(4) Zero percent on or before July 1, 2027, and shall remain at 0 percent thereafter

(c) All increases in the rate of reimbursement provided for in this section shall be used to increase the compensation of human services workers.

(d) The Executive Office of Health and Human Services, the Executive Office of Administration and Finance, the Executive Office of Elder Affairs and the Department of Housing and Community Development shall adopt regulations to implement this section.

(e) Nothing in this section shall be construed to prohibit the elimination of the disparity amount prior to July 1, 2027.

SECTION 2. On or before January 1, 2024, the Executive Office of Health and Human Services, in conjunction with the Executive Office of Administration and Finance, the Executive Office of Elder Affairs and the Department of Housing and Community Development, in collaboration with the Massachusetts Council of Human Service Providers, Inc., shall provide a report to the Senate and House Committees on Ways and Means that includes recommendations to strengthen recruitment and retention of human services workers, as defined in subsection (a) of Section 105 of Chapter 6A of the General Laws.

SECTION 3. On or before July 1, 2024 and annually thereafter until the disparity amount is eliminated for human services workers, the Executive Office of Health and Human Services, the Executive Office of Elder Affairs and the Department of Housing and Community Development, in collaboration with the Massachusetts Council of Human Service Providers, Inc., shall provide a report to the Senate and House Committees on Ways and Means, the Joint Committee on Children, Families and Persons with Disabilities, the Joint Committee on Elder Affairs, the Joint Committee on Health Care Financing, the Joint Committee on Mental Health, Substance Use and Recovery, the Joint Committee on Public Health and the Joint Committee on State Administration and Regulatory Oversight that includes the following information:

(1) The current disparity amount, as defined in Subsection (a) of Section 105 of Chapter 6A of the General Laws, between the salaries of human services workers, as defined in Subsection a) of Section 105 of Chapter 6A of the General Laws, employed by human service providers, as defined in Subsection (a) of Section 105 of Chapter 6A of the General Laws, and

direct care workers, nurses, clinicians or other comparable employees employed by the Commonwealth's state-operated programs for human services;

(2) The amount of annual increases in the rate of reimbursement, as defined in Subsection (a) of Section 105 of Chapter 6A of the General Laws, to human service providers under contract with their department necessary to reduce and eliminate the disparity amount by July 1, 2027 pursuant to the schedule articulated in Subsection (b) of Section 105 of Chapter 6A of the General Laws;

(3) The amount needed to be appropriated annually to achieve the reductions in the disparity amount described in paragraphs (1)-(4) of Subsection (b) of Section 105 of Chapter 6A of the General Laws by July 1, 2027; and

(4) The implementation of rates necessary to eliminate the disparity amount by agency, job description and start date of implementation.