

HOUSE No. 174

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 updating terminology and investigative practices related to the protection of persons with disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/17/2023</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/26/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/31/2023</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/31/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/2/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/2/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/2/2023</i>
<i>Alyson M. Sullivan-Almeida</i>	<i>7th Plymouth</i>	<i>2/9/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/17/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>6/5/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>6/12/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>6/16/2023</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>6/21/2023</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>6/23/2023</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>6/27/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>6/27/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>6/27/2023</i>

<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>6/27/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>6/27/2023</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>6/27/2023</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>7/24/2023</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>7/24/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/24/2023</i>

HOUSE No. 174

By Representative Garballey of Arlington, a petition (accompanied by bill, House, No. 174) of Sean Garballey and others relative to updating terminology and investigative practices related to the protection of persons with disabilities. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 218 OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act updating terminology and investigative practices related to the protection of persons with disabilities.

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. Section 4H of chapter 7 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out, in lines 84, 87 and 88, each time they appear,
3 the words “disabled persons protection commission” and inserting in place thereof, in each
4 instance, the following words:-commission for the protection of persons with disabilities.

5 SECTION 2. Section 19 of chapter 19B is hereby amended by striking out, in lines 126,
6 139, 280 and 281, 305, 384, 390 and 391, each time they appear, and 394 and 395, the words
7 “disabled persons protection commission” and inserting in place thereof, in each instance, the
8 following words:- commission for the protection of persons with disabilities.

9 SECTION 3. Chapter 19C is hereby amended by striking out the title, as so appearing,
10 and inserting in place thereof the following title:- COMMISSION FOR THE PROTECTION OF
11 PERSONS WITH DISABILITIES.

12 SECTION 4. Said chapter 19C is hereby further amended by striking out section 1, and
13 inserting in place thereof the following section:-

14 Section 1. As used in this chapter, the following words shall have the following meanings
15 unless the context requires otherwise:-

16 “Abuse”, an act or omission of a caretaker that results in serious physical or serious
17 emotional injury to a person with a disability; provided, however, that no person shall be
18 considered to be abused for the sole reason that such person is being furnished or relies upon
19 treatment in accordance with the tenets and teachings of a church or religious denomination by a
20 duly accredited practitioner of the church or religious denomination. As used in this chapter, the
21 term abuse includes abuse per se.

22 “Abuse per se”, an act or omission of a caretaker that, based upon its circumstances, is
23 determined by the commission to be in and of itself abusive, regardless of the manifestation of a
24 serious physical or serious emotional injury to a person with a disability.

25 “Caretaker”, a parent, guardian or other person or agency responsible for the health or
26 welfare of a person with a disability, whether in the same home as the person with a disability,
27 the home of a relative, a foster home or any other location where the caretaker renders assistance.

28 “Commission”, the commission for the protection of persons with disabilities established
29 under section 2.

30 “Mandated reporter”, any physician, medical intern, hospital personnel engaged in the
31 examination, care or treatment of persons, medical examiner, dentist, psychologist, nurse,
32 chiropractor, podiatrist, osteopath, public or private school teacher, educational administrator,
33 guidance or family counselor, day care worker, probation officer, social worker, foster parent,
34 police officer, firefighter, paramedic, emergency medical technician, animal control officer,
35 person employed by a state agency or person employed to provide assistance with a daily living
36 need for a person with a disability who, in their professional capacity, shall have reasonable
37 cause to believe that a person with a disability is suffering from a reportable condition.

38 “Person with a disability”, a person between the ages of 18 to 59, inclusive, who is a
39 person with an intellectual disability or a person with a developmental disability as defined under
40 section 1 of chapter 123B or who is otherwise mentally or physically disabled and, as a result of
41 that mental or physical disability, is wholly or partially dependent on another to meet that
42 person’s daily living needs.

43 “Recommendation”, a statement contained in an investigation report prepared pursuant to
44 this chapter that sets forth specific action intended by the investigator to protect a particular
45 person with a disability or similarly situated persons with disabilities from further abuse or risk
46 of abuse and that responds to the specific protective needs of the person with a disability or
47 persons with disabilities.

48 “Reportable condition”, a serious physical or serious emotional injury sustained by a
49 person with a disability and for which there is reasonable cause to believe that the injury resulted
50 from abuse; or reasonable cause to believe that abuse per se exists.

51 “State agency”, an agency of the commonwealth that provides services or treatment to
52 persons with disabilities, including a private entity providing such services or treatment pursuant
53 to a contract, license or agreement with an agency of the commonwealth.

54 SECTION 5. Section 2 of said chapter 19C is hereby amended by striking out the title,
55 and inserting in place thereof the following title: Establishment of the commission for the
56 protection of persons with disabilities; membership; terms; compensation; annual report.

57 SECTION 6: Section 2 of said chapter 19C is hereby amended by striking out the first
58 sentence and inserting in place thereof the following sentence:- There shall be a commission for
59 the protection of persons with disabilities.

60 SECTION 7. Said section 2 of said chapter 19C is hereby further amended by striking
61 out, in line 5, the words “disabled persons” and inserting in place thereof the following words:-
62 persons with disabilities.

63 SECTION 8. Said section 2 of said chapter 19C is hereby further amended by striking out
64 the third, fourth, and fifth sentences and inserting in place thereof the following sentences:- The
65 commission shall consist of 3 members to be appointed by the governor, 1 of whom the governor
66 shall designate as chair. Members of the commission shall serve for a term of 5 years.

67 SECTION 9. Said section 2 of chapter 19C is hereby further amended by striking out the
68 ninth sentence, and inserting in place thereof the following sentence:- A person appointed to fill
69 a vacancy occurring other than by the expiration of a term of office shall be appointed for the
70 unexpired term of the member succeeded.

71 SECTION 10. The first paragraph of section 3 of said chapter 19C is hereby amended by
72 striking out clause (a) and inserting in place thereof the following clause:-

73 (a) to employ, subject to appropriation, the staff necessary to carry out its duties pursuant
74 to this chapter; provided, however, that the commission shall establish written standards for the
75 position of investigator and shall hire investigators whose education and training qualifies them
76 for the position pursuant to the standards established by the commission; provided further, that
77 the commission shall take the steps necessary to ensure that the conduct of each investigator
78 meets or exceeds the standards; and provided further, that the staff shall serve at the pleasure of
79 the commission and shall not be subject to chapter 31.

80 SECTION 11. Said section 3 of said chapter 19C is hereby further amended by striking
81 out, in lines 20 and 21, the words “disabled persons” and inserting in place thereof the following
82 words:- persons with disabilities.

83 SECTION 12. Said section 3 of said chapter 19C is hereby further amended by striking
84 out, in line 22, the words “other state”.

85 SECTION 13. Said section 3 of said chapter 19C is hereby further amended by striking
86 out, in line 27, the word “nine” and inserting in place thereof the following words:- 5 or section
87 9.

88 SECTION 14. Said section 3 of said chapter 19C is hereby further amended by striking
89 out, in lines 28 and 29, the words “disabled persons” and inserting in place thereof the following
90 words:- persons with disabilities.

91 SECTION 15. Said section 3 of said chapter 19C is hereby further amended by striking
92 out, in lines 31 and 32, the words “the provisions of chapters sixty-six and sixty-six A” and
93 inserting in place thereof the following words:- chapters 66 and 66A; provided, however, that,
94 except as otherwise provided in this chapter, information that is created, collected, used,
95 maintained or disseminated pursuant to this chapter and that is confidential or personally
96 identifiable information pursuant to state or federal law shall not be a public record pursuant to
97 clause Twenty-six of section 7 of chapter 4 or chapter 66.

98 SECTION 16. The first paragraph of said section 3 of said chapter 19C is hereby
99 amended by striking clauses (h) and (i) and inserting in place thereof the following 2 clauses:-

100 (h) to establish within the commission a special investigative unit that shall have sole
101 responsibility for the initial evaluation or investigation of all reports of abuse received by the
102 commission in connection with which there is an allegation of criminal conduct; provided,
103 however, that the colonel of state police shall assign not less than 5 state police officers to the
104 special investigative unit; and

105 (i) to promulgate rules and regulations establishing procedures to exclude personally
106 identifiable information regarding the subjects of investigations and to carry out the
107 responsibilities of this chapter in such a way as to disclose as little personally identifiable
108 information as possible.

109 SECTION 17. Section 4 of said chapter 19C is hereby amended by striking out, in line 1,
110 the words “disabled person” and inserting in place thereof the following words:- person with a
111 disability, and subject to the commission’s authority to conduct its own investigation.

112 SECTION 18. The first paragraph of said section 4 of said chapter 19C is hereby
113 amended by striking out clauses (b) and (c) and inserting in place thereof the following 3
114 clauses:-

115 (b) refer immediately any such report that alleges the occurrence of abuse of a person
116 with a disability whose caretaker is a state agency to the state agency within the executive office
117 of health and human services that is the primary service providing agency for the disability
118 manifested by the person with a disability; provided, however, that as assigned by the
119 commission, the commission or the referral agency subject to the oversight of the commission
120 shall investigate the abuse as provided in section 5; and provided further, that, if a commission
121 investigation is being conducted, the referral agency shall take reasonable steps to avoid
122 unnecessary, unwarranted or counterproductive duplication of the commission's investigation
123 through an internal investigation or inquiry by the referral agency and shall, when there is
124 duplication, utilize the commission's investigation in lieu of an internal investigation or inquiry.

125 (c) refer immediately any such report that alleges the occurrence of abuse of a person
126 with a disability whose caretaker is not a state agency to the agency within the executive office
127 of health and human services that the commission determines, based on the person's reported
128 disability, would most likely provide, license an entity to provide or contract with or enter into an
129 agreement to provide services or treatment to the person with a disability; provided, however,
130 that, as assigned by the commission, the commission or the assigned referral agency subject to
131 the oversight of the commission shall investigate such abuse as provided in section 5.

132 (d) in accordance with subsections (b) and (c), refer immediately reports that the
133 commission determines present imminent risk of substantial harm to a person with a disability,

134 regardless of whether any serious injury is alleged, for the provision of protective services;
135 provided, however, that the commission may oversee the provision of protective services until
136 such time that the commission determines the risk has been adequately addressed.

137 SECTION 19. Said section 4 of said chapter 19C is hereby further amended by striking
138 out, in lines 35 and 36, the words “disabled person where the screener” and inserting in place
139 thereof the following words:- person with a disability where the commission staff.

140 SECTION 20. Said section 4 of said chapter 19C is hereby further amended by striking
141 out, in line 38, the word “screener” and inserting in place thereof the following words:-
142 commission staff.

143 SECTION 21. Said section 4 of said chapter 19C is hereby further amended by striking
144 out, in line 40, the first time it appears, the word “and” and inserting in place thereof the
145 following word:- or.

146 SECTION 22. Said section 4 of said chapter 19C is hereby further amended by striking
147 out, in lines 40 to 42, inclusive, the words “and, upon completion of such evaluation and
148 investigation, shall report the results of such evaluation and investigation to the commissioners
149 who” and inserting in place thereof the following word: . Upon completion of such evaluation or
150 investigation, the special investigative unit shall report the results of such evaluation or
151 investigation to the commission that.

152 SECTION 23. Said section 4 of said chapter 19C is hereby further amended by inserting
153 after the word “initial,” in line 46, the following words:- evaluation or.

154 SECTION 24. Said section 4 of said chapter 19C is hereby further amended by striking
155 out, in lines 56 and 57, the words “clients of state agencies or of contract providers” and
156 inserting in place thereof the following words:- persons with disabilities.

157 SECTION 25. Said section 4 of said chapter 19C is hereby further amended by striking
158 out, in line 58, the words “commission’s or department’s”.

159 SECTION 26. Said section 4 of said chapter 19C is hereby further amended by inserting
160 after the word “investigation”, in lines 58 and 59, the following words:- by the commission or
161 referral agency.

162 SECTION 27. Section 5 of said chapter 19C is hereby amended by striking out, in lines
163 1, 13, 50, 63, 73 and 75, the words “disabled person” and inserting in place thereof, in each
164 instance, the following words:- person with a disability.

165 SECTION 28. Said section 5 of said chapter 19C is hereby further amended by inserting
166 after the word “designated”, in line 2, the following words:- and assigned.

167 SECTION 29. Said section 5 of said chapter 19C is hereby further amended by striking
168 out, in lines 2 to 4, inclusive, the words “, the general counsel, or a department within the
169 executive office of health and human services”.

170 SECTION 30. Said section 5 of said chapter 19C is hereby further amended by striking
171 out, in lines 7 and 8, the words “counsel or department of mental health or department of public
172 health” and inserting in place thereof the following words:- department of developmental
173 services, department of mental health or Massachusetts rehabilitation commission.

174 SECTION 31. Said section 5 of said chapter 19C is hereby further amended by striking
175 out, in line 9, the words “disabled person’s health or safety” and inserting in place thereof the
176 following words:- health or safety of a person with a disability.

177 SECTION 32. Said section 5 of said chapter 19C is hereby further amended by striking
178 out, in line 12, the words “the disabled person’s residence and day program, if any” and inserting
179 in place thereof the following words:- any sites relevant to the alleged abuse, which may include,
180 but shall not be limited to, the residence and day program of the person with a disability.

181 SECTION 33. Said section 5 of chapter 19C is hereby further amended by inserting, in
182 line 14, after the word “injuries” the following words:- or abuse per se.

183 SECTION 34. Said section 5 of said chapter 19C is hereby further amended by striking
184 out, in lines 17 to 19, inclusive, the words “, to the general counsel and to the department of
185 mental health and the department of public health” and inserting in place thereof the following
186 words:- and to the department of developmental services, the department of mental health or the
187 Massachusetts rehabilitation commission, as appropriate.

188 SECTION 35. Said section 5 of said chapter 19C is hereby further amended by striking
189 out, in line 22, the word “ten” and inserting in place thereof the following words:- 10, or the
190 employer of the mandated reporter.

191 SECTION 36. Said section 5 of said chapter 19C is hereby further amended by inserting
192 after the word “the”, in line 24, the first time it appears, the following word:- assigned referral.

193 SECTION 37. Said section 5 of said chapter 19C is hereby further amended by striking
194 out, in line 30, the word “neither” and inserting in place thereof the following word:- not.

195 SECTION 38. Said section 5 of said chapter 19C is hereby further amended by striking
196 out, in lines 31 to 33, inclusive, the words, “nor prevent the admission of such documents in any
197 civil or disciplinary proceeding arising out of the alleged abuse or neglect of the disabled
198 person”.

199 SECTION 39. Said section 5 of said chapter 19C, as so appearing, is hereby further
200 amended by striking out, in lines 43 and 44, the words “the facility named in the report, if any,”
201 and inserting in place thereof the following words:- any sites relevant to the report.

202 SECTION 40. Said section 5 of said chapter 19C is hereby further amended by striking
203 out, in line 45, the words “residents or clients in the same facility” and inserting in place thereof
204 the following words:- persons with disabilities.

205 SECTION 41. Said section 5 of said chapter 19C is hereby further amended by striking
206 out, in lines 46 and 47, the words “, the general counsel, the department of mental health and the
207 department of public health within” and inserting in place thereof the following words:- and to
208 the department of developmental services, the department of mental health or the Massachusetts
209 rehabilitation commission, as appropriate, within.

210 SECTION 42. Said section 5 of said chapter 19C is hereby further amended by striking
211 out, in line 52, the words “, the general counsel, the attorney general”.

212 SECTION 43. Said section 5 of said chapter 19C is hereby further amended by striking
213 out, in line 54, the words “six of chapter thirty-eight” and inserting in place thereof the following
214 words:- 3 of chapter 38.

215 SECTION 44. Said section 5 of said chapter 19C is hereby further amended by striking
216 out, in line 55, the word “ten” and inserting in place thereof the following words:- 10 business.

217 SECTION 45. Said section 5 of said chapter 19C is hereby further amended by striking
218 out, in lines 56, 58 and 61, the word “misconduct” and inserting in place thereof, in each
219 instance, the following word:- abuse.

220 SECTION 46. Said section 5 of said chapter 19C is hereby further amended by striking
221 out, in lines 59 and 60, the words “ respond in writing prior to the issuance of said report” and
222 inserting in place thereof the following words:- petition for review.

223 SECTION 47. Said section 5 of said chapter 19C is hereby further amended by striking
224 out, in line 67, the word “shall” and inserting in place thereof the following words:- may refer
225 any matters for which there is reason to believe that a violation of any statute, regulation or rule
226 has occurred to the agency of the commonwealth that has jurisdiction over the alleged violation.
227 In addition, the commission, notwithstanding any provisions of chapter 66A regarding personal
228 data to the contrary, shall.

229 SECTION 48. Said section 5 of said chapter 19C is hereby further amended by striking
230 out, in lines 77 to 79, inclusive, the words “or (c) a disabled person has suffered serious bodily
231 injury as a result of a pattern of repetitive actions or inactions by a caretaker” and inserting in
232 place thereof the following words:- (c) a person with a disability has suffered serious bodily
233 injury as a result of a pattern of repetitive acts or omissions by a caretaker; or (d) any other
234 criminal offense has occurred that has caused harm to a person with a disability.

235 SECTION 49. Said chapter 19C is hereby further amended by striking out section 6 and
236 inserting in place thereof the following section:-

237 Section 6. The commission, acting through agencies within the executive office of health
238 and human services designated by the commission to provide protective services and as
239 necessary to prevent further abuse in cases investigated pursuant to this chapter and subject to
240 the oversight of the commission, shall:

241 (i) furnish protective services to a person with a disability with the consent of the person
242 or the person's guardian;

243 (ii) petition the court for appointment of a conservator or guardian or for issuance of an
244 emergency order for protective services as provided in section 7; or

245 (iii) furnish protective services to a person with a disability on an emergency basis as
246 provided in said section 7.

247 SECTION 50. Section 7 of said chapter 19C is hereby amended by striking out, in lines 1
248 and 2, the words "the general counsel, the department of mental health or the department of
249 public health," and inserting in place thereof the following words:- the department of
250 developmental services, the department of mental health or the Massachusetts rehabilitation
251 commission.

252 SECTION 51. Said section 7 of said chapter 19C is hereby further amended by striking
253 out, in lines 4, 6 and 7, 12, 13, 16, 17 and 18, each time they appear, 20 and 21, 22, 29, 35, 39
254 and 40, 46, 47 and 48, 59, each time they appear, 61, 65, 67 and 68, the words "disabled person"
255 and inserting in place thereof, in each instance, the following words:- person with a disability.

256 SECTION 52. Said section 7 of said chapter 19C is hereby further amended by striking
257 out, in lines 5 and 6, 9, 33 and 34, 37 and 62, the words “, counsel or department” and inserting
258 in place thereof, in each instance, the following words:- or agency.

259 SECTION 53. Section 8 of chapter 19C is hereby amended by striking out, in the section
260 title, the words “disabled persons” and inserting in place thereof the following words: - persons
261 with disabilities.

262 SECTION 54. Said section 8 of said chapter 19C is hereby further amended by striking
263 out, in line 2, the words “disabled person” and inserting in place thereof the following words:-
264 person with a disability.

265 SECTION 55. Said section 8 of said chapter 19C is hereby further amended by striking
266 out, in line 6, the words “disabled persons” and inserting in place thereof the following words:- a
267 person with a disability.

268 SECTION 56. Section 9 of said chapter 19C is hereby amended by striking out clause
269 (d), as so appearing, and inserting in place thereof the following clause:-

270 (d) refer any matters for which there is reason to believe that abuse has occurred by a
271 state agency or its employee to the agency of the commonwealth funding, contracting or under
272 agreement with, or licensing such party for termination of the funding, agreement, contract, or
273 license or for such other action that the agency of the commonwealth deems appropriate.

274 SECTION 57. Section 10 of said chapter 19C is hereby amended by striking out, in line
275 3, the word “orally”.

276 SECTION 58. Section 10 of said chapter 19C is hereby further amended by striking out,
277 in lines 4 and 5, the words “and shall report in writing within forty-eight hours after such oral
278 report”.

279 SECTION 59. Said section 10 of said chapter 19C is hereby further amended by striking
280 out, in lines 7, 13, 19 and 29, the words “disabled person” and inserting in place thereof the
281 following words:- person with a disability.

282 SECTION 60. Said section 10 of said chapter 19C is hereby further amended by striking
283 out, in lines 10 and 11, the words “six of chapter thirty-eight” and inserting in place thereof the
284 following words:- 3 of chapter 38.

285 SECTION 61. Said section 10 of said chapter 19C is hereby further amended by inserting
286 after the word “file”, in line 12, the following word:- a.

287 SECTION 62. Said section 10 of said chapter 19C is hereby further amended by striking
288 out, in lines 27 and 28, the words “in any civil action arising out of a report made pursuant to this
289 chapter” and inserting in place thereof the following words:- participation in an investigation,
290 hearing, or other proceeding conducted pursuant to this chapter.

291 SECTION 63. Said section 10 of said chapter 19C is hereby further amended by striking
292 out, in lines 32 and 33, the words “oral and written reports, who fails to do so,” and inserting in
293 place thereof the following words:- a report and who fails to do so.

294 SECTION 64. Section 11 of said chapter 19C is hereby amended by striking out, in line
295 6, the words “the general counsel or”.

296 SECTION 65. Said section 11 of said chapter 19C is hereby further amended by striking
297 out, in line 9, the words “disabled person” and inserting in place thereof the following words:-
298 person with a disability.

299 SECTION 66. The third paragraph of said section 11 of said chapter 19C, as so
300 appearing, is hereby amended by inserting after the first sentence the following sentence:- The
301 commission may investigate any allegation under this section pursuant to section 5 or 9.

302 SECTION 67. Section 12 of said chapter 19C is hereby amended by striking out, in lines
303 10 and 11, the words “, in consultation with the secretary of health and human services,”.

304 SECTION 68. Said section 12 of said chapter 19C is hereby further amended by striking
305 out, in line 11, the word “formal”.

306 SECTION 69. Said section 12 of said chapter 19C is hereby further amended by striking
307 out, in lines 12 and 13, the words “, in consultation with the secretary of health and human
308 services,”.

309 SECTION 70. Said section 12 of said chapter 19C is hereby further amended by striking
310 out, in line 13, the words “a formal” and inserting in place thereof the following word:- an.

311 SECTION 71. Section 13 of said chapter 19C is hereby amended by striking the title,
312 inserting in place thereof the following title:- Notification by caretaker agency of the death of a
313 person with a disability.

314 SECTION 72. Section 13 of said chapter 19C is hereby further amended by striking out,
315 in lines 1 and 8, the words “disabled person” and inserting in place thereof, in each instance, the
316 following words:- person with a disability.

317 SECTION 73. Said section 13 of said chapter 19C is hereby further amended by striking
318 out, in line 6, the word “a” and inserting in place thereof the following word:- any.

319 SECTION 74. Said section 13 of said chapter 19C is hereby further amended by striking
320 out, in line 4, the word “orally”.

321 SECTION 75. Said section 13 of said chapter 19C is hereby further amended by striking
322 out, in lines 5, 6 and 7, the following words “, and shall forward to the commission and local law
323 enforcement officials a written report of such death”.

324 SECTION 76. Section 14 of said chapter 19C is hereby amended by striking out, in lines
325 2, 3, and 4, the words “the general counsel, or a department within the executive office of health
326 and human services” and inserting in place thereof the following words:- department of
327 developmental services, department of mental health, or the Massachusetts rehabilitation
328 commission,.

329 SECTION 77. Section 15 of said chapter 19C is hereby amended by inserting, in line 17,
330 after the term “or” as first appearing, the following word:- serious.

331 SECTION 78. Section 15 of said chapter 19C is hereby further amended, by striking, in
332 line 28, the word “respond”, and inserting in place thereof the following words:- petition for
333 review.

334 SECTION 79. Section 15 of said chapter 19C is hereby further amended, by striking, in
335 line 31, the word “include”, and inserting in place thereof the following word:- enter.

336 SECTION 80. Section 15 of said chapter 19C is hereby further amended, by striking, in
337 line 32, the words “name and date of birth” and inserting in place thereof the following words:-

338 name, date of birth, and any other personally identifying information as determined necessary by
339 the commission to confirm the identity of the care provider.

340 SECTION 81. Section 15 of said chapter 19C is hereby further amended by inserting, in
341 lines 37, 40, 50, 124, 125, 127, 129, 131, and 132, after the word “name”, in each instance, the
342 following words:- and personally identifying information.

343 SECTION 82. Section 15 of said chapter 19C is hereby further amended by striking out,
344 in lines 65 and 66, 68, and 74 the words “date of birth” and inserting in place thereof, in each
345 instance, the following words:- personally identifying information.

346 SECTION 83. Section 15 of said chapter 19C is hereby further amended, by striking out,
347 in lines 84 and 85, the words “including the records of its proceedings” and inserting in place
348 thereof the following words:- including the records of the registrable abuse investigation and
349 records of any hearing or other proceeding at the division or judicial appeal, including the
350 personally identifying information of all parties and witnesses.

351 SECTION 84: Section 15 of said Chapter 19C is hereby further amended by inserting
352 after the word “shall”, in line 85, the following words:- be confidential and shall.

353 SECTION 85: Section 15 of said Chapter 19C is hereby further amended, by inserting
354 after the word “registry”, in lines 88 and 94, in each instance, the following words:-and any
355 registrable abuse investigation or proceeding at the division or judicial appeal.

356 SECTION 86. Section 15 of said Chapter 19C is hereby further amended, by striking, in
357 lines 89 and 90, the word “anyone” and inserting in place thereof the following:- any person or
358 entity.

359 SECTION 87. Section 15 of said Chapter 19C is hereby further amended, by inserting,
360 after the word “registrable”, in line 109, the following words:- in the last fiscal year.

361 SECTION 88. Section 15 of said Chapter 19C is hereby further amended, by inserting,
362 after the word “registry”, in line 109, the following words:- as of the last day of the last fiscal
363 year.

364 SECTION 89. Section 220 of chapter 111 is hereby amended by striking out, in lines 20
365 and 21, the words “disabled persons protection commission” and inserting in place thereof the
366 following words:- commission for the protection of persons with disabilities.