

SENATE No. 763

The Commonwealth of Massachusetts

PRESENTED BY:

Robyn K. Kennedy

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 to promote an enhanced care worker minimum wage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>1/25/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>1/26/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>1/27/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/27/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>1/27/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/6/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/8/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/8/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/10/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/13/2023</i>
<i>Rita A. Mendes</i>	<i>11th Plymouth</i>	<i>4/11/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/12/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>5/19/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/2/2024</i>

<i>Adam Gomez</i>	<i>Hampden</i>	<i>1/11/2024</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/11/2024</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/16/2024</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>1/23/2024</i>
<i>Manny Cruz</i>	<i>7th Essex</i>	<i>1/31/2024</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2024</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>2/6/2024</i>

SENATE No. 763

By Ms. Kennedy, a petition (accompanied by bill, Senate, No. 763) of Robyn K. Kennedy, John J. Cronin, Jack Patrick Lewis, Rebecca L. Rausch and other members of the General Court for legislation to promote an enhanced care worker minimum wage. Health Care Financing.

The Commonwealth of Massachusetts

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

An Act to promote an enhanced care worker minimum wage.

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 13C of Chapter 118E of the general laws is amended after the
2 second paragraph by inserting the following new paragraphs:

3 In establishing such rates of payment pursuant to the second paragraph of this section and
4 in implementing rate regulations, the secretary of the executive office shall require that the
5 minimum wage paid to employees of social service program providers receiving such payments
6 shall be no less than 140 percent of the statewide minimum wage. When establishing rates of
7 payment for social service programs, the secretary of the executive office shall adjust such rates
8 of payment to ensure that the rates fully account for the cost to providers of paying such
9 enhanced minimum wage.

10 Prior to establishing such rates of payment pursuant to the second paragraph of this
11 section and prior to the issuance of proposed regulations, the secretary of the executive office
12 shall hold hearings that are open to the public. Such public hearings shall solicit input from

13 social service program providers, social service program workers, labor organizations
14 representing social service program workers, and other community stakeholders. Concurrent
15 with such public hearings and prior to establishing such rates of payment, the executive office
16 shall investigate and analyze the wage rates and working conditions for employees of social
17 service program providers. In conducting such public hearings and investigations, the executive
18 office may issue subpoenas to compel the attendance of witnesses and the production of books,
19 papers, and records.

20 SECTION 2. Section 4 of Chapter 19A is hereby amended by adding after Section 4D
21 the following new section:

22 SECTION 4E: In establishing rates of payment for homemaker and personal care
23 homemaker services pursuant to the second paragraph of section 13C of chapter 118E of the
24 M.G.L. and in implementing rate regulations, the executive office shall require by that the
25 minimum wage paid to employees of home care agencies providing such services shall be no less
26 than 140 percent of the statewide minimum wage. When establishing rates of payment for
27 homemaker and personal care homemaker services pursuant, the executive office shall adjust
28 such rates to ensure that the rates fully account for the cost to providers of paying such enhanced
29 minimum wage. Nothing in this section shall be construed as limiting consideration of other
30 governmental mandates or operating costs that affect the cost of providing services pursuant to
31 section 4 of chapter 19A of the General Laws.

32 Prior to establishing such rates of payment and prior to the issuance of proposed
33 regulations, the executive office shall hold hearings that are open to the public. Such public
34 hearings shall solicit input from homemaker and personal care homemaker service providers,

35 homemakers, personal care homemakers, labor organizations representing such workers, and
36 other community stakeholders. Concurrent with such public hearings and prior to establishing
37 such rates of payment, the executive office shall investigate and analyze the wage rates and
38 working conditions for homemakers and personal care homemakers. In conducting such public
39 hearings and investigations, the executive office may issue subpoenas to compel the attendance
40 of witnesses and the production of books, papers, and records.

41 SECTION 3. Section 13D of Chapter 118E of the general laws is amended after the
42 second paragraph by inserting the following new paragraphs:

43 In establishing such rates for nursing homes and rest homes and in implementing rate
44 regulations, the executive office shall require that the minimum wage paid to employees of
45 nursing homes and rest homes receiving such payments shall be no less than 140 percent of the
46 statewide minimum wage. When establishing rates of payment for nursing homes and rest
47 homes, the executive office shall adjust such rates to ensure that the rates fully account for the
48 cost to providers of paying such enhanced minimum wage.

49 Prior to establishing such rates for nursing homes and rest homes and prior to the
50 issuance of proposed regulations, the executive office shall hold hearings that are open to the
51 public. Such public hearings shall solicit input from nursing home and rest home operators,
52 nursing home and rest home workers, labor organizations representing nursing home and rest
53 home workers, and other community stakeholders. Concurrent with such public hearings and
54 prior to establishing such rates of payment, the executive office shall investigate and analyze the
55 wage rates and working conditions for employees of nursing homes and rest homes. In

56 conducting such public hearings and investigations, the executive office may issue subpoenas to
57 compel the attendance of witnesses and the production of books, papers, and records.