

**HOUSE . . . . . No. 197**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***James C. Arena-DeRosa***

*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 resolve:

Resolve for a foster care liability insurance special commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>1/15/2025</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>5/28/2025</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>5/28/2025</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>5/28/2025</i>

**HOUSE . . . . . No. 197**

---

By Representative Arena-DeRosa of Holliston, a petition (accompanied by resolve, House, No. 197) of James C. Arena-DeRosa for an investigation by a special commission (including members of the General Court) relative to providers of comprehensive foster care in the Commonwealth in obtaining and maintaining foster care liability insurance. Children, Families and Persons with Disabilities.

---

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

Resolve for a foster care liability insurance special commission.

1           **Resolved**, that a special commission is hereby established for the purposes of making an  
2 investigation and study relative to providers of comprehensive foster care in the Commonwealth,  
3 contracted by the Department of Children and Families, in obtaining and maintaining the costs  
4 and additional burdens, such as administrative and programmatic, in obtaining and maintaining  
5 foster care liability insurance.

6           The Commission shall consist of the following members or their designees:

7           the Chairs of the Joint Committee on Children, Families & Persons with Disabilities or  
8 their designees, who will serve as chairs;

9           the Secretary of Health and Human Services or a designee;

10          the Commissioner of the Division of Insurance or a designee;

11          the Commissioner of the Department of Children and Families or a designee;

12 the Chair of the Foster Care Caucus or their designee;

13 a representative from the Office of the Child Advocate;

14 a representative of insurance provider(s) of foster care liability insurance in the state of  
15 Massachusetts;

16 a representative from two providers of comprehensive foster care, appointed by the  
17 Children’s League of Massachusetts;

18 a representative from the Children’s League of Massachusetts or a designee;

19 3 members to be appointed by the Chairs as recommended by the Children’s League of  
20 Massachusetts, 1 of whom shall be a family member of a child or adolescent who has or is  
21 receiving comprehensive foster care services; and 1 of whom shall be an individual who has  
22 served as a comprehensive foster care parent. In making appointments, to the maximum extent  
23 feasible, ensure that the Commission represents a broad distribution of diverse perspectives and  
24 geographic regions.

25 The Commission shall: (i) compile data concerning the cost of insurance liability for  
26 foster care providers in Massachusetts and nationally, (ii) recent data on in-state and out-of-state  
27 insurance claims for comprehensive foster care providers; (iii) examine the current availability  
28 of, and barriers to obtaining, foster care liability insurance; (iv) examine existing efforts  
29 undertaken by healthcare providers, specifically foster care providers, and the existing body of  
30 research around best practices for insuring foster care providers in neighboring states and  
31 nationwide; (iv) solicit information and input as needed from providers, insurance carriers, and  
32 any other parties or entities deemed appropriate; (v) examine other matters deemed appropriate

33 by the Commission; and (vi) determine appropriate solution(s) within Massachusetts to alleviate  
34 the pressures faced by foster care providers due to the financial and other burdens of holding  
35 foster care liability insurance.

36 All appointments shall be made not later than 30 days after the effective date of this  
37 resolve.

38 The Commission shall submit its findings and recommendations for legislation to the  
39 Clerks of the Senate and the House of Representatives no later than October 1, 2025.