

HOUSE No. 5024

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 2, 2026.

The committee on Children, Families and Persons with Disabilities, to whom was referred the 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, reports recommending that the accompanying resolve (House, No. 5024) ought to pass.

For the committee,

JAY D. LIVINGSTONE.

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

Resolve for a foster care and child 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 and child care
3 liability
4 insurance in the Commonwealth. The commission shall reside in the Department of
5 Insurance.

6 The Commission shall meet at least four times prior to issuing its final report.

7 The Commission shall consist of the following 19 members or their designees:

8 The Chairs of the Joint Committee on Children, Families & Persons with Disabilities or
9 their
10 designees;

11 The Secretary of Health and Human Services or a designee;

The Commissioner of the Division of Insurance or a designee, who will serve as co-chair
and
one other designee from The Office of Consumer Affairs and Business Regulation;
The Commissioner of the Department of Children and Families or a designee;
The Commissioner of the Department of Early Education and Care or a designee, who
will serve
as co-chair and one other designee from the Department of Early Childhood Education
and Care;
A representative from the Office of the Child Advocate;
Representatives of two insurance providers or brokers who currently offer or have offered
foster
care liability insurance in the last five years in the state of Massachusetts, appointed by
the
Division of Insurance;
Representatives of two insurance providers or brokers who currently offer or have offered
child
care liability insurance in the last five years in the state of Massachusetts, appointed by
the
Division of Insurance;

Two foster care providers appointed by the Governor;

Two representatives of child care providers appointed by the Governor;

A representative from Strategies for Children or a designee; and

A representative from the Children's League of Massachusetts or a designee;

Persons responsible for appointing members to the commission shall ensure that, to the fullest

extent possible, the composition of the commission reflects a diverse population with respect to

race, ethnicity, age, religion, sexual orientation, gender identity, gender expression, disability,

economic status, geographic diversity, and other diverse backgrounds. The Commission shall: (i)

compile data concerning the cost of insurance liability for foster care and child care liability

insurance providers in Massachusetts and nationally, (ii) compile recent data on in-state and out-

of-state insurance claims for comprehensive foster care providers and child care liability

insurance ; (iii) examine the current availability of, and barriers to obtaining, foster care and

child care liability insurance; (iv) examine existing efforts undertaken by healthcare providers, specifically foster care and child care providers, and the existing body of research around best practices for insuring foster care and child care providers in neighboring states and nationwide;

(iv) solicit information and input as needed from providers, insurance carriers, and any other parties or entities deemed appropriate; (v) examine other matters deemed appropriate by the Commission; and (vi) determine appropriate solution(s) within Massachusetts to alleviate the pressures faced by foster care and child care providers due to the financial and other burdens of holding foster care liability insurance.

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

The Commission shall submit its findings and/or recommendations to the Clerks of the Senate

and the House of Representatives no later than December 1, 2026.