

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

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 recognizing and providing assistance for military service-related injuries from agent orange and burn pits.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act recognizing and providing assistance for military service-related injuries from agent orange and burn pits.

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. Chapter 33 of the General Laws is hereby amended by inserting after
2 section 67B the following section:-

3 Section 67C. There shall be a Massachusetts orange heart medal to be presented to a
4 service member or veteran who suffered a service-connected disease, condition or injury related
5 to the exposure to harmful toxins, herbicides, agents or materials including, but not limited to,
6 exposure to agent orange and burn pits, where the exposure occurred while serving in the armed
7 forces of the United States, active or reserve components, or the Massachusetts national guard. A
8 service member shall have entered military service or state active duty from the commonwealth,
9 have been a resident of the commonwealth at the time of death or have been a member of the
10 Massachusetts national guard at the time of death. To be eligible, a service member or veteran
11 must have served after December 6, 1941. The adjutant general or designee and 2 field grade
12 officers of the armed forces of the commonwealth detailed by the commander-in-chief shall
13 constitute a commission to make recommendations to the commander-in-chief for the awarding

14 of the Massachusetts orange heart medal. The presentation of the Massachusetts orange heart
15 medal pursuant to this section shall not preclude an award of the Massachusetts medal of fidelity
16 pursuant to section 67B.

17 SECTION 2. Chapter 115 of the General Laws is hereby amended by adding the
18 following section:-

19 Section 18. (a) For the purposes of this section, the following words shall, unless the
20 context clearly requires otherwise, have the following meanings:

21 "Agent orange", the herbicide composed primarily of trichlorophenoxyacetic acid (2, 4, 5
22 T) and dichlorophenoxyacetic acid (2, 4 D) and its contaminant tetrachlorodibenzo-para-dioxin
23 (2, 3, 7, 8 dioxin, TCDD).

24 "Chemical agent", dioxin or other toxic substances found in certain defoliant, herbicides,
25 pesticides and similar chemical substances or causative agents.

26 "Board", the veterans agent orange advisory board.

27 "Program", the agent orange information and assistance program.

28 "Vietnam veteran", as defined in clause Forty-third of section 7 of chapter 4 of the
29 General Laws.

30 (b) There shall be a veterans agent orange advisory board to assist the secretary in
31 administering the agent orange and burn pit information and assistance program established
32 pursuant to subsection (c). The board shall consist of: 3 members appointed by the secretary of
33 veterans' services; and 2 members appointed by the governor. All members shall, by education or
34 experience, be knowledgeable of veterans benefits and programs and have demonstrated interest

35 in veteran affairs. A majority of the members shall be veterans. Members shall serve for 5 years.
36 The members shall vote to select a chair. If a vacancy occurs, it shall be filled for the balance of
37 the unexpired term in the same manner as the original appointment. A majority of the appointed
38 and serving members of the board shall constitute a quorum of the board for the transaction of
39 business. An action of the board shall be approved by a majority vote of the members present at
40 a meeting where a quorum is present. The members of the board shall serve without
41 compensation.

42 (c) The secretary shall develop and administer, in consultation with the veterans agent
43 orange advisory board established in subsection (b), the agent orange information and assistance
44 program to identify and assist Vietnam, Gulf War and Post September 11 veterans exposed to
45 agent orange or other chemical agents in connection with their military service. The program
46 shall:

47 (1) study, evaluate and provide information regarding epidemiological, genetic and other
48 studies, investigations and research that pertain to use of chemical agents, including agent
49 orange, and adverse health conditions that may be associated with exposure to chemical agents;

50 (2) provide medical information to health professionals in the commonwealth regarding
51 the detection, diagnosis and treatment of acute and chronic symptoms that may be associated
52 with exposure to chemical agents, including agent orange;

53 (3) monitor and report on the activities and policies of the federal government and other
54 states relating to the exposure of veterans to chemical agents, including agent orange;

55 (4) monitor existing programs for Vietnam, Gulf War and Post September 11 veterans at
56 the state or local level to determine if adequate services and resources exist, identify additional

57 areas of concern and make recommendations on behalf of Vietnam, Gulf War and Post
58 September 11 veterans to address these needs;

59 (5) provide genetic information, screening and counseling to Vietnam, Gulf War and Post
60 September 11 veterans regarding the possible genetic effects which may be associated with
61 exposure to chemical agents, including agent orange;

62 (6) establish, promote and maintain a public information service on agent orange
63 including, but not limited to, efforts to contact Vietnam, Gulf War and Post September 11
64 veterans who may have been exposed to agent orange or other chemical agents;

65 (7) establish and maintain a central registry of information on Vietnam, Gulf War and
66 Post September 11 veterans in the commonwealth who may have been exposed to agent orange
67 or other chemical substances;

68 (8) refer Vietnam, Gulf War and Post September 11 veterans to appropriate state and
69 federal agencies or other available resources for treatment of adverse health conditions which
70 may have resulted from possible exposure to chemical agents, including agent orange, in
71 connection with their military service;

72 (9) assist Vietnam, Gulf War and Post September 11 veterans in filing compensation
73 claims for disabilities that may have resulted from possible exposure to chemical agents,
74 including agent orange and burn pits; and

75 (10) communicate the concerns of Vietnam, Gulf War and Post September 11 veterans
76 related to exposure to chemical agents, including agent orange and burn pits, to appropriate state
77 and federal officials.

78 (d) The secretary, in consultation with the board, shall promulgate regulations necessary
79 to implement this section.