

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Brandy Fluker-Reid

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 authorizing the Executive office of Health and Human Services to establish a Direct Care worker Medication Administration Program Registry.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Brandy Fluker-Reid</i>	<i>12th Suffolk</i>	<i>1/16/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act authorizing the Executive office of Health and Human Services to establish a Direct Care worker Medication Administration Program Registry.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a Direct care worker registry, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 General Laws is hereby amended by
2 inserting after the second paragraph the following section Subsections (a) and (b):-

3 Subsection Section (a) As used in this section, the following terms shall have the
4 following meanings unless the context clearly requires otherwise:

5 “Employee organization”, a labor union or other organization, agency or employee
6 representation committee, association, group or plan in which employees participate and which
7 exists in whole or in part to deal with employers concerning matters incidental to employment
8 relationships.

9 “Direct care worker”, a person employed by an agency whose rates are set by chapter
10 257 of the laws of 2008, to provide direct care and/or medication administration.

11 “Direct care worker agency”, an entity employing direct care workers to provide services
12 whose rates are set by chapter 257 of the law of 2008.

13 Subsection (b) The executive office of health and human services shall establish and
14 maintain a Direct care worker Medication Administration Program registry of direct care
15 workers employed by a direct care worker agency.

16 A direct care worker agency shall report to the executive office of health and human
17 services the required direct care worker registry information for each direct care worker it
18 employs or contracts for the services of on a paid, unpaid, temporary or permanent basis who is
19 not exempt from the reporting requirement. Any exemptions from reporting shall be established
20 in regulations promulgated by the Executive office of health and human services; provided,
21 however, that the regulations shall include, but not be limited to, exemptions for victims of
22 domestic violence, rape, sexual assault or stalking.

23 The executive office shall collect the following reported information concerning each
24 direct care worker: (i) the worker’s full name; (ii) their assigned unique identification number;
25 (iii) their gender; (iv) their home address; (v) their mailing address; (vi) the full legal name of
26 any direct care worker agency employing the direct care worker; (vii) the worker’s job title; and
27 (viii) a list of Direct care trainings or certifications completed by the direct care worker. (ix) the
28 status of their Medication Administration Program certification, pass, fail or pending.

29 Reported information for each employed direct care worker shall be submitted and
30 regularly updated every quarter by each direct care worker agency subject to this section. The
31 registry shall be updated by the Executive office of health and human services at least quarterly.

32 A direct care worker agency shall collect and maintain the required information and submit

33 updated information in a timely manner as determined by the department. A direct care worker
34 shall not be responsible for any costs related to the registry.

35 The executive office of health and human services shall only make a direct care worker's
36 full name, identification number, name of any direct care worker agency employing the direct
37 care worker and a list of direct care trainings or certifications completed by the direct care
38 worker available to the public unless such information is exempt from disclosure by the
39 department. Upon request from an employee organization, or direct care worker agency, the
40 department shall provide all reported information to such entities.

41 The executive office of health and human services shall promulgate rules and regulations
42 and shall provide such forms and notifications as may be necessary to implement this section;
43 provided, however, that the executive office of health and human services shall minimize any
44 duplicate reporting that may be required of a direct care agency.

45 Subsection C. This act shall take effect as of xx/xx/xx