

Massachusetts Department of Transportation Advertising 1

1 SECTION 4. Section 3 of chapter 6C of the General Laws, as appearing in the 2014 Official
2 Edition, is hereby amended by striking out clauses (47) and (48) and inserting in place thereof
3 the following 4 clauses:-

4 (47) ensure regional equity related to transportation planning, construction, repair,
5 maintenance, capital improvement, development and funding;

6 (48) designate a representative to act in its interest in labor relations matters with its
7 employees;

8 (49) sell, lease or otherwise contract for advertising, including in or on the facilities of the
9 department; and

10 (50) promulgate rules and regulations for the control of billboards, signs and other
11 advertising devices on public ways or on private property within public view of a highway,
12 public park or reservation consistent with chapters 93 and 93D.

Tax Expenditure Review Audit Unit 1

13 SECTION 5. Chapter 12A of the General Laws is hereby amended by adding the following
14 section:-

15 Section 16. (a) There shall be a tax expenditure review audit unit which shall examine
16 and evaluate the administration, effectiveness and fiscal impact of tax expenditures as defined in
17 section 1 of chapter 29. The audit unit shall develop a schedule to conduct a review of tax
18 expenditures.

19 (b) Pursuant to the schedule developed under subsection (a), the unit shall:

20 (i) evaluate the particular public policy purposes of the various tax expenditures and
21 whether existing tax expenditures are an effective means of accomplishing those public policy
22 purposes;

23 (ii) utilize best practices and standardized criteria used by other states for measuring the
24 effectiveness of tax expenditures;

25 (iii) measure the economic impact of each tax expenditure including, but not limited to,
26 revenue loss compared to economic gain, jobs created or retained and any administrative
27 requirements for taxpayers and the commonwealth;

28 (iv) identify, in consultation with the department of revenue and other appropriate
29 stakeholders, metrics for assessing the effectiveness of tax expenditures to achieve identified
30 purposes and outcomes and collect the necessary data based on such metrics, including foregone
31 revenue, beneficiaries, distribution of amounts received, other appropriate data depending on the
32 metrics selected; and

33 (v) recommend, where appropriate, the simplification, expansion, reduction, modification
34 or elimination of certain tax expenditures.

35 (c) The department of revenue shall provide information as requested by the audit unit.
36 The audit unit, in collaboration with the department of revenue, shall develop policies and
37 procedures to ensure taxpayer confidentiality and shall limit requests to information necessary to
38 perform its duties under this section.

39 (d) The audit unit shall have access to documents and information, including tax returns
40 and related documents maintained by the department of revenue necessary for the performance
41 of the unit's duties under this section, but excluding information provided to the commonwealth
42 by other federal and state tax agencies where such access is prohibited by law; provided,
43 however, that tax returns and related documents shall not include a taxpayer's personal
44 identifying information and such returns and documents shall be confidential and exempt from
45 disclosure as a public record at all times.

46 (e) Not later than January 1 of each year, the audit unit shall report the results of its
47 findings and activities of the preceding year and its recommendations to the clerks of the senate
48 and house of representatives who shall forward the same to the house and senate committees on
49 ways and means and the joint committee on revenue. The report shall include, without limitation:
50 (i) the date a tax expenditure was enacted; (ii) the statutory citation or federal law reference; (iii)
51 the public policy purpose and desired outcome; and (iv) recommendations, if any, for the
52 simplification, expansion, reduction, modification or elimination of any tax expenditures to more
53 effectively achieve their identified public policy purposes. The annual report shall be posted on
54 the website of the office of inspector general.

Low-Income Taxpayer Clinics

55 SECTION 6. Chapter 14 of the General Laws is hereby amended by adding the following
56 section:-

57 Section 13. (a) For the purposes of this section, the following words shall have the
58 following meanings unless the context clearly requires otherwise:

59 “Low-income taxpayer”, an individual with a household income which does not exceed
60 400 per cent of the federal poverty level, as calculated by the United States Department of Health
61 and Human Services.

62 “Qualified low-income taxpayer clinic”, a clinical program at an accredited law school,
63 business school, accounting school or an organization described in 26 U.S.C. 501(c) and exempt
64 from taxation under 26 U.S.C. 501(a) that does not charge a fee for services, except for
65 reimbursement of actual costs incurred and in which at least 95 per cent of taxpayers represented
66 by the clinical program are low-income taxpayers.

67 “Qualified representative”, an individual who is authorized to practice before the
68 department or the applicable court.

69 (b) The commissioner may, subject to appropriation, award grants to develop, expand or
70 support qualified low-income taxpayer clinics that provide education and assistance to low-
71 income taxpayers seeking to file tax returns and to those engaged in disputes with the
72 department. The commissioner, in determining whether to award a grant under this section, shall
73 consider the number of taxpayers who will be served by the clinic, including the number of
74 taxpayers in the geographical area who have limited English proficiency, the quality of the
75 program offered by the qualified low-income taxpayer clinic, including the qualifications of its
76 administrators and qualified representatives and its record in providing services to low-income
77 taxpayers. The commissioner shall give preference in awarding grants to qualified low-income
78 taxpayer clinics that assist taxpayers in applying for the earned income credit available under
79 subsection (h) of section 6 of chapter 62. Upon application of a qualified low-income taxpayer
80 clinic, the department may award multi-year grants not to exceed 3 years.

Work-Related Expense Deduction

81 SECTION 7. Section 37 of chapter 18 of the General Laws, as appearing in the 2014 Official
82 Edition, is hereby amended by striking out, in line 2, the figure “\$150” and inserting in place
83 thereof the following figure:- \$200.

Office of the Child Advocate 1

84 SECTION 8. Chapter 18C of the General Laws is hereby amended by striking out section 1, as
85 so appearing, and inserting in place thereof the following section:-

86 Section 1. As used in this chapter, the following words shall have the following meanings
87 unless the context clearly requires otherwise:

88 “Advisory council”, the child advocate advisory council established under section 4.

89 “Child advocate”, the child advocate appointed under section 3.

90 “Critical incident”, (i) a fatality, near fatality or serious bodily or emotional injury of a
91 child who is in the custody of or receiving services from an executive agency or a constituent
92 agency; or (ii) circumstances which result in a reasonable belief that an executive agency or a
93 constituent agency failed in its duty to protect a child and, as a result, the child was at imminent
94 risk of, or suffered serious bodily or emotional injury or death.

95 “Department”, the department of children and families.

96 “Executive agency”, a state agency within the office of the governor, including the
97 executive office of education, the executive office of public safety and security, executive office
98 of health and human services, and their constituent agencies, the Massachusetts interagency
99 council on housing and homelessness and the executive office of housing and economic
100 development.

101 “Office”, the office of the child advocate.

102 “Serious bodily or emotional injury”, an injury which involves a substantial risk of death,
103 extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of
104 the function of a bodily member, organ or mental faculty or emotional distress.

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105 SECTION 9. Section 2 of said chapter 18C, as so appearing, is hereby amended by inserting
106 after the second sentence the following 2 sentences:- The office shall act to investigate and
107 ensure that the highest quality of services and supports are provided to safeguard the health,
108 safety and well-being of all children receiving services. The office shall examine systemic issues
109 related to the provision of services to children and provide recommendations to improve the
110 quality of those services in order to give each child the opportunity to live a full and productive
111 life.

Office of the Child Advocate 3

112 SECTION 10. Said section 2 of said chapter 18C, as so appearing, is hereby further amended by
113 striking out, in line 8, the word “treated” and inserting in place thereof the following words:-
114 receiving services.

Office of the Child Advocate 4

115 SECTION 11. Said chapter 18C is hereby further amended by striking out section 3, as so
116 appearing, and inserting in place thereof the following section:-
117 Section 3. The office of the child advocate shall be under the direction of the child
118 advocate who shall be the administrative head of the office and devote full time to the duties of
119 the office. The child advocate shall be appointed by a majority vote of the attorney general, the
120 state auditor and the governor from a list of 3 nominees submitted by a nominating committee to
121 recommend a child advocate. The nominating committee shall consist of: the secretary of health
122 and human services; the commissioner of children and families; the commissioner of youth
123 services; the commissioner of mental health; the executive director of the child abuse prevention
124 board; a pediatrician experienced in treating victims of child abuse who shall be designated by
125 the Massachusetts chapter of the American Academy of Pediatrics; a child psychiatrist who shall
126 be designated by the Massachusetts Psychiatric Society; a child psychologist who shall be
127 designated by the Massachusetts Chapter of the National Association of Social Workers; a

128 person with experience in the juvenile justice system who shall be designated by the chief justice
129 of the juvenile court department; and a representative of organized labor who shall be designated
130 by the president of a collective bargaining unit that represents social workers. The work of the
131 nominating committee shall be coordinated by the executive office of health and human services.

132 Any person appointed to the position of child advocate shall be selected without regard to
133 political affiliation and on the basis of integrity and demonstrated ability in child welfare,
134 juvenile justice, auditing, law, management analysis, public administration and investigation or
135 criminal justice administration. The child advocate may, subject to appropriation, appoint such
136 other personnel as the child advocate deems necessary for the efficient management of the office.

137 The child advocate shall serve for a term of 5 years. In case of a vacancy in the position
138 of the child advocate, a successor shall be appointed in the same manner for the remainder of the
139 unexpired term. No person shall be appointed for more than 2 full terms.

140 The person so appointed may be removed from office for cause by a majority vote of the
141 attorney general, the state auditor and the governor. Such cause may include substantial neglect
142 of duty, gross misconduct or conviction of a crime. The cause for removal of the child advocate
143 shall be stated in writing and shall be sent to the clerks of the senate and house of representatives
144 and to the governor at the time of removal and shall be a public document.

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145 SECTION 12. Section 4 of said chapter 18C, as so appearing, is hereby amended by striking out,
146 in line 2, the word “board” and inserting in place thereof the following word:- council.

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147 SECTION 13. Said section 4 of said chapter 18C, as so appearing, is hereby further amended by
148 inserting after the word “families”, in line 11, the following words:- , the commissioner for the
149 deaf and hard of hearing, the commissioner for the blind.

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150 SECTION 14. Said section 4 of said chapter 18C, as so appearing, is hereby further amended by
151 inserting after the word “governor”, in line 20, the following words:- , 1 of whom shall be a
152 representative of organized labor from a collective bargaining unit that represents social workers,
153 1 of whom shall be a representative of an organization which advocates on behalf of children at
154 risk of being abused or neglected and 1 of whom shall be a pediatrician experienced in treating
155 victims of child abuse.

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156 SECTION 15. Said section 4 of said chapter 18C, as so appearing, is hereby further amended by
157 adding the following 2 paragraphs:-
158 The child advocate shall meet with the advisory council at least annually and may consult
159 or request the assistance of members of the advisory council with respect to the duties and
160 responsibilities of the office. The child advocate shall present to the advisory council the annual
161 goals of the office and its plans for monitoring the work, including the continuing quality
162 improvement, of the child service agencies and the identification of any critical gaps and issues
163 relating to interagency collaboration.
164 The advisory council shall annually set the salary of the child advocate; provided,
165 however, that such salary shall not exceed 90 per cent of the salary of the chief justice of the
166 supreme judicial court.

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167 SECTION 16. Subsection (a) of section 5 of said chapter 18C, as so appearing, is hereby
168 amended by inserting after the first sentence the following sentence:- Such notice shall be
169 provided as soon as practicable and not more than 48 hours after the incident occurred.

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170 SECTION 17. Said section 5 of said chapter 18C, as so appearing, is hereby further amended by
171 striking out, in line 35, the words “he may conduct an investigation of the complaint” and
172 inserting in place thereof the following words:- the child advocate may conduct an investigation
173 and upon completion of the investigation, the child advocate may convene a meeting of the
174 relevant executive agency staff to review the investigation.

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175 SECTION 18. Said section 5 of said chapter 18C, as so appearing, is hereby further amended by
176 striking out, in line 45, the words “24 hours a day, 7 days a week”.

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177 SECTION 19. Said section 5 of said chapter 18C, as so appearing, is hereby further amended by
178 striking out, in line 54, the words “At the request of the governor, the” and inserting in place
179 thereof the following word:- The.

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180 SECTION 20. Section 6 of said chapter 18C, as so appearing, is hereby amended by inserting
181 after the first sentence the following sentence:- The child advocate shall have access to,
182 including the right to inspect and copy, without cost, relevant records held by the clerk of the
183 juvenile court and the clerk of the probate and family court.

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184 SECTION 21. Section 10 of said chapter 18C, as so appearing, is hereby amended by striking
185 out, in line 5, the word “activities” and inserting in place thereof the following words:- the
186 delivery of services to children, activities.

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187 SECTION 22. Said chapter 18C is hereby further amended by striking out section 11, as so
188 appearing, and inserting in place thereof the following section:-

189 Section 11. The child advocate, in consultation with the advisory council, may from time
190 to time, examine system-wide responses to child abuse and neglect, including related mental
191 health, substance use and domestic violence issues. The child advocate’s examination may
192 include, without limitation, racial disproportionality and disparity, truancy and runaways,
193 mandated reporting, social worker qualifications and caseloads, administrative and cost
194 requirements, federal funding for child welfare purposes and the effectiveness of child abuse
195 laws. The child advocate may seek advice broadly from individuals with expertise in child
196 welfare.

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197 SECTION 23. Section 12 of said chapter 18C, as so appearing, is hereby amended by inserting
198 after the word “office”, in line 13, the following words:- , except when disclosure may be
199 necessary to enable the child advocate to perform the child advocate’s duties.

Tourism Formula

200 SECTION 24. Chapter 23A of the General Laws is hereby amended by striking out section 13T,
201 inserted by section 27 of chapter 287 of the acts of 2014, and inserting in place thereof the
202 following section:-

203 Section 13T. (a) There shall be a Massachusetts Tourism Trust Fund which shall be
204 administered by the Massachusetts marketing partnership established in section 13A and held by
205 the partnership separate and apart from its other funds. There shall be credited to the fund
206 \$10,000,000 from the room occupancy excise imposed by section 3 of chapter 64G and section
207 22 of chapter 546 of the acts of 1969.

208 (b) There shall also be credited to the fund all revenue as designated under the Gaming
209 Revenue Fund pursuant to subclause (b) of clause (2) of section 59 of chapter 23K.

210 (c) All available money in the fund that is unexpended at the end of each fiscal year shall
211 not revert to the General Fund and shall be available for expenditure by the fund in the
212 subsequent fiscal year.

213 (d) Money in the fund shall be applied as follows:

214 (i) 40 per cent to the Massachusetts marketing partnership; and

215 (ii) 60 per cent to regional tourism councils.

216 (e) The partnership shall submit an annual report not later than December 31 on the cost-
217 effectiveness of the fund to the clerks of the senate and house of representatives and the joint
218 committee on tourism, arts and cultural development. The report shall be made available on the
219 office of travel and tourism’s website. The report shall include: (i) expenditures made by the
220 partnership from money out of the fund to promote tourism; (ii) expenditures made by the
221 partnership for administrative costs; (iii) expenditures made by the regional tourism councils to
222 promote tourism; and (iv) expenditures made by the regional tourism councils for administrative
223 costs.

MassHealth Delivery System Reform 1 and Sexual Assault Nurse Examiner Trust Fund

224 SECTION 25. Chapter 29 of the General Laws is hereby amended by inserting after section
225 2RRRR the following 2 sections:-

226 Section 2SSSS. (a) There shall be a MassHealth Delivery System Reform Trust Fund.
227 The secretary of health and human services shall be the trustee of the fund and shall expend
228 money in the fund to: (i) provide reimbursement for services delivered to MassHealth
229 beneficiaries by acute hospitals participating in the MassHealth program; and (ii) make enhanced
230 service payments and incentive payments to acute hospitals and other providers or care
231 organizations under contract to provide MassHealth services pursuant to an approved state plan
232 or federal waiver. There shall be credited to the fund: (1) any transfers from the Health Safety
233 Net Trust Fund established in section 66 of chapter 118E; (2) an amount equal to any federal
234 financial participation revenues claimed and received by the commonwealth for eligible
235 expenditures made from the fund; (3) any revenue from appropriations or other money
236 authorized by the general court and specifically designated to be credited to the fund; and (4)

237 interest earned on any money in the fund. Amounts credited to the fund shall be expended
238 without further appropriation.

239 (b) Money in the fund may be expended for Medicaid payments under an approved state
240 plan or federal waiver; provided, however, that all payments from the fund shall be: (i) subject to
241 the availability of federal financial participation; (ii) made only under federally-approved
242 payment methods; (iii) consistent with federal funding requirements and all federal payment
243 limits as determined by the secretary of health and human services; and (iv) subject to the terms
244 and conditions of an agreement between acute hospitals, other providers or care organizations
245 and the executive office of health and human services. To accommodate timing discrepancies
246 between the receipt of revenue and related expenditures, the comptroller may certify for payment
247 amounts not to exceed the most recent estimate of revenues as certified by the secretary of health
248 and human services to be transferred, credited or deposited under this section. Money remaining
249 in the fund at the end of a fiscal year shall not revert to the General Fund.

250 (c) Effective October 1 of each provider or care organization rate year, the secretary of
251 health and human services shall expend money in the fund for MassHealth services provided by
252 qualifying acute hospital providers under contract with the executive office of health and human
253 services or under subcontracts with managed care organizations that contract with the office in
254 connection with the MassHealth program.

255 The secretary of health and human services shall expend \$250,000,000 in payments to
256 qualifying acute hospital providers or to managed care organizations for their payments to
257 hospitals participating in their respective provider networks, subject to the terms and conditions
258 of a payment agreement with the executive office of health and human services; provided,
259 however, that the payments shall be in addition to the sum of: (i) the amount of reimbursement
260 otherwise provided for and payable in each contract year to those hospitals under contracts
261 executed pursuant to the request for applications issued periodically by the executive office of
262 health and human services for the procurement of acute hospital services under the MassHealth
263 program; and (ii) the portion, as determined by the secretary, of payments made under the
264 contracts executed between managed care organizations and the executive office of health and
265 human services which are projected to be needed by the managed care organizations for
266 payments to hospitals contracted to participate in the provider networks of the managed care
267 organizations.

268 Money credited to and deposited in the fund that is not expended under the second
269 paragraph of this subsection may be expended for incentive payments to care organizations or
270 other providers under contract with the executive office of health and human services to provide
271 MassHealth services; provided, however, that all such incentive payments shall be consistent
272 with the relevant provisions of the Medicaid state plan under Title XIX of the federal social
273 security act or any waiver of Title XIX provisions granted by the federal Centers for Medicare
274 and Medicaid Services.

275 (d) Not later than 30 days after the close of each hospital fiscal quarter, the executive
276 office of health and human services shall submit to the house and senate committees on ways and
277 means a detailed accounting of all money transferred, credited or deposited into the fund. The
278 fourth quarter report shall include the amount remaining in the fund at the end of each hospital
279 fiscal year and the reasons for the unspent amount.

280 Section 2TTTT. There shall be a Sexual Assault Nurse Examiner Trust Fund. The fund
281 shall be administered by the commissioner of public health to support the sexual assault nurse
282 examiner program. There shall be credited to the trust fund all money received from public or
283 private sources for the sexual assault nurse examiner program including, but not limited to, gifts,
284 grants, donations, bequests, contributions of cash or securities, contributions of property in kind
285 from persons or other governmental, nongovernmental, quasi-governmental or local
286 governmental entities. Expenditures from the trust fund shall be made to support the sexual
287 assault nurse examiner program including, but not limited to: (i) costs of the sexual assault nurse
288 examiner program, including coordination and oversight of sexual assault nurse examiner
289 services; (ii) wrap-around services for sexual assault patients of all ages that may include
290 medical follow up, behavioral health intervention or crisis intervention; (iii) training that
291 supports certification and recertification of sexual assault nurse examiners, including
292 expenditures for training consultants, materials and venues, continuing education and
293 professional development opportunities; (iv) educational, outreach and technical assistance
294 efforts for professional and public audiences that may include training and outreach material
295 development and production; (v) costs associated with sexual assault nurse examiner and sexual
296 assault programs, grants and initiatives of the commissioner; and (vi) other services needed by
297 the sexual assault nurse examiner program to support program operations and development. The

298 department of public health may incur expenses and the comptroller may certify amounts for
299 payment in anticipation of expected receipts; provided, however, that no expenditure shall be
300 made from the fund which shall cause the fund to be in deficit at the close of the fiscal year.
301 Amounts credited to the fund shall not be subject to further appropriation and money remaining
302 in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available
303 for expenditure in subsequent fiscal years.

Foundation Budget Review Commission Implementation Schedule

304 SECTION 26. Said chapter 29 is further hereby amended by inserting after section 5B the
305 following section:-

306 Section 5B½. (a) Annually, not later than January 15, the secretary of administration and
307 finance shall meet with the house and senate committees on ways and means to jointly determine
308 an implementation schedule to fulfill the recommendations filed on November 2, 2015 by the
309 foundation budget review commission established in section 4 of chapter 70. The
310 implementation schedule shall establish a foundation budget as defined in section 2 of said
311 chapter 70 incorporating the categories of tuitioned-out special education rate, assumed in-school
312 special education enrollment, low-income increment, low-income enrollment, foundation
313 benefits, retired employee health insurance and English language learner increment; provided,
314 however, that in the first year of the term of office of a governor who has not served in the
315 preceding year, the parties shall determine an implementation schedule not later than January 31
316 of that year.

317 In determining the implementation schedule, the secretary of administration and finance
318 and the house and senate committees on ways and means shall hold a public hearing and receive
319 testimony from the commissioner of elementary and secondary education and other interested
320 parties. The schedule may be amended by agreement of the house and senate committees on
321 ways and means in any fiscal year to reflect changes in enrollment, inflation, student populations
322 or other factors that would affect the remaining costs in the schedule. The implementation
323 schedule shall be included in a joint resolution and placed before the members of the general
324 court for their consideration along with any proposed legislation necessary to execute and
325 implement the schedule. The implementation schedule shall be subject to appropriation.

Digital Health Internship

326 SECTION 27. Chapter 40J of the General Laws is hereby amended by inserting after section 6I
327 the following section:-

328 Section 6J. There shall be established and set up on the books of the corporation a Digital
329 Health Internship Incentive Trust Fund which shall be administered by the executive director of
330 the corporation. The corporation shall hold the fund in an account separate from other funds,
331 including other funds established in this chapter. Amounts credited to the fund shall be available
332 for expenditure by the corporation without further appropriation for any activities consistent with
333 this section as the corporation deems appropriate; provided, however, that amounts credited to
334 the fund shall be used to provide stipends for internships in digital health fields for
335 undergraduate, graduate and postgraduate students and recent graduates at companies in the
336 commonwealth, with preference given to those employed by small businesses and start-up
337 companies. Amounts credited to the fund shall be expended or applied only with the approval of
338 the executive director after consultation with the director of the John Adams Innovation Institute.

339 There shall be credited to the fund all money received from public or private sources
340 including, but not limited to, gifts, grants, donations, bequests, contributions of cash or securities
341 and contributions in kind from persons or other governmental, nongovernmental, quasi-
342 governmental or local governmental entities. Any money remaining in the fund at the end of a
343 fiscal year shall not revert to the General Fund and shall be available for expenditure in
344 subsequent fiscal years. For the purposes of this section, “digital health” shall include, but not be
345 limited to: e-Health, cyber security, IT security and integrated photonics. The corporation shall
346 support efforts to secure matching funds.

347 The corporation may adopt guidelines necessary to implement this program.

Virtual School Enrollment Requirement

348 SECTION 28. The first paragraph of subsection (c) of section 94 of chapter 71 of the General
349 Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the last 2
350 sentences.

Driver School License 1

351 SECTION 29. Section 32G of chapter 90 of the General Laws, as so appearing, is hereby
352 amended by inserting after the word “person”, in line 1, the following words:- , no authority
353 established under chapter 161B.

Driver School License 2

354 SECTION 30. Said section 32G of said chapter 90, as so appearing, is hereby further amended
355 by inserting after the word “No”, in line 171, the following words:- authority established under
356 chapter 161B and no.

Massachusetts Department of Transportation Advertising 2

357 SECTION 31. Section 29 of chapter 93 of the General Laws, as so appearing, is hereby amended
358 by striking out the first sentence and inserting in place thereof the following 2 sentences:- For the
359 purposes of this section and sections 29A, 30A and 31, “board” shall mean the board of directors
360 of the Massachusetts Department of Transportation. The board may make, amend or repeal rules
361 and regulations for the proper control and restriction of billboards, signs and other advertising
362 devices, except as provided in section 32, on public ways or on private property within public
363 view of a highway, public park or reservation.

Massachusetts Department of Transportation Advertising 3

364 SECTION 32. Section 30A of said chapter 93, as so appearing, is hereby amended by striking
365 out, in line 8, the words “outdoor advertising”.

Massachusetts Department of Transportation Advertising 4

366 SECTION 33. Section 1 of chapter 93D of the General Laws, as so appearing, is hereby
367 amended by striking out the definition of “Board” and inserting in place thereof the following
368 definition:-

369 “Board”, the board of directors of the Massachusetts Department of Transportation.

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370 SECTION 34. Said section 1 of said chapter 93D, as so appearing, is hereby further amended by
371 striking out the definition of “Department” and inserting in place thereof the following
372 definition:-

373 “Department”, the Massachusetts Department of Transportation.

Outsourcing Facilities Technical Amendment

374 SECTION 35. Section 7 of chapter 94C of the General Laws is hereby amended by inserting
375 after the word "druggist", in lines 20 and 26, as so appearing, each time it appears, the following
376 words:- or outsourcing facility.

College Savings Account Assets 1

377 SECTION 36. Section 25 of chapter 118E of the General Laws, as so appearing, is hereby
378 amended by inserting after the word “called”, in line 49, the following words:-
379 ; and (6) a college savings plan established and maintained pursuant to, or consistent
380 with, section 529 of the Internal Revenue Code.

MassHealth Delivery System Reform 2

381 SECTION 37. Section 64 of said chapter 118E, as so appearing, is hereby amended by striking
382 out the definition “Total acute hospital assessment amount” and inserting in place thereof the
383 following definition:-

384 “Total acute hospital assessment amount”, an amount equal to \$410,000,000 plus 50 per
385 cent of the estimated cost, as determined by the secretary of administration and finance, of
386 administering the health safety net and related assessments in accordance with sections 65 to 69,
387 inclusive, including those assessments transferred to the MassHealth Delivery System Reform
388 Trust Fund established in section 2SSSS of chapter 29.

MassHealth Delivery System Reform 3

389 SECTION 38. Said section 64 of said chapter 118E is hereby further amended by striking out the
390 definition “Total acute hospital assessment amount”, inserted by section 37, and inserting in
391 place thereof the following definition:-

392 “Total acute hospital assessment amount”, an amount equal to \$160,000,000 plus 50 per
393 cent of the estimated cost, as determined by the secretary of administration and finance, of
394 administering the health safety net and related assessments in accordance with sections 65 to 69,
395 inclusive.

MassHealth Delivery System Reform 4

396 SECTION 39. Subsection (b) of section 66 of said chapter 118E, as appearing in the 2014
397 Official Edition, is hereby amended by striking out the second sentence and inserting in place
398 thereof the following 2 sentences:- The office shall transfer \$250,000,000 of the amounts paid by
399 acute hospitals under section 67 to the MassHealth Delivery System Reform Trust Fund
400 established in section 2SSSS of chapter 29. The office shall expend amounts in the fund, except
401 for amounts transferred to the Commonwealth Care Trust Fund or the MassHealth Delivery
402 System Reform Trust Fund, for payments to hospitals and community health centers for
403 reimbursable health services provided to uninsured and underinsured residents of the

404 commonwealth, consistent with the requirements of this section, section 69 and the regulations
405 adopted by the office.

MassHealth Delivery System Reform 5

406 SECTION 40. Said subsection (b) of said section 66 of said chapter 118E is hereby further
407 amended by striking out the second sentence, inserted by section 39.

Elevator Inspections

408 SECTION 41. Section 64 of chapter 143 of the General Laws, as appearing in the 2014 Official
409 Edition, is hereby amended by inserting after the word “that”, in line 7, the following words:-
410 any elevator classified by the commissioner as a limited use elevator including, but not limited
411 to, a wheelchair lift, dumbwaiter and vertical reciprocating conveyer, shall be inspected and
412 tested at intervals of not less than 2 years; provided, further, that.

Driver School License 3

413 SECTION 42. Section 6 of chapter 161B of the General Laws, as so appearing, is hereby
414 amended by adding the following clause:-
415 (r) to apply for and receive a license to engage in the business of giving instruction for
416 hire in the operation of motor vehicles under section 32G of chapter 90.

Housing Court Expansion 1

417 SECTION 43. Section 1 of chapter 185C of the General Laws, as so appearing, is hereby
418 amended by striking out the first sentence and inserting in place thereof the following sentence:-
419 The housing court department, established in section 1 of chapter 211B, shall be composed of: (i)
420 a western division consisting of the municipalities in Berkshire, Franklin, Hampden and
421 Hampshire counties; (ii) a central division consisting of the municipalities in Worcester county
422 and the municipalities of Ashland, Framingham, Holliston, Hopkinton, Hudson, Marlborough,

423 Natick, Sudbury, Wayland and Sherborn; (iii) a northeastern division consisting of the
424 municipalities in Essex county and the municipalities of Acton, Ashby, Ayer, Bedford, Billerica,
425 Boxborough, Burlington, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Everett, Groton,
426 Lexington, Lincoln, Littleton, Lowell, Malden, Maynard, Melrose, North Reading, Pepperell,
427 Reading, Shirley, Stoneham, Stow, Tewksbury, Townsend, Tyngsborough, Wakefield, Waltham,
428 Watertown, Westford, Weston, Wilmington, Winchester and Woburn and the jurisdiction known
429 as Devens established in chapter 498 of the acts of 1993; (iv) a southeastern division consisting
430 of the municipalities in Barnstable, Bristol and Nantucket counties and the county of Dukes
431 County and the municipalities of Carver, Duxbury, Halifax, Hanover, Hanson, Hingham, Hull,
432 Kingston, Lakeville, Marion, Marshfield, Mattapoisett, Middleborough, Norwell, Pembroke,
433 Plymouth, Plympton, Rochester, Rockland, Scituate and Wareham; (v) a metro south division
434 consisting of the municipalities in Norfolk county, except Brookline, and the municipalities of
435 Abington, Bridgewater, Brockton, East Bridgewater, West Bridgewater and Whitman; and (vi)
436 an eastern division consisting of the municipalities in Suffolk county and the municipalities of
437 Arlington, Belmont, Brookline, Cambridge, Medford, Newton and Somerville.

Housing Court Expansion 2

438 SECTION 44. Said chapter 185C is hereby further amended by striking out section 4, as so
439 appearing, and inserting in the place thereof the following section:-

440 Section 4. The western division of the housing court department shall hold its sittings in
441 the city of Springfield in Hampden county and at least 1 sitting each week in courthouse facilities
442 in Berkshire, Franklin and Hampshire counties. The court, with the consent of the chief justice of
443 the trial court, shall also sit in any other courthouse facilities as the chief justice of the housing
444 court may consider expedient or convenient.

445 The eastern division of the housing court department shall hold at least 1 sitting each
446 week in Suffolk county and at least 1 sitting each week in Middlesex county. The court, with the
447 consent of the chief justice of the trial court, shall also sit in any other courthouse facilities as the
448 chief justice of the housing court department may consider expedient or convenient.

449 The central division of the housing court department shall hold at least 1 sitting each
450 week in the city of Worcester, at least 1 sitting each week in Middlesex county, at least 1 sitting

451 each week in northern Worcester county and at least 1 sitting each week in southern Worcester
452 county. The court, with the consent of the chief justice of the trial court, shall also sit in any other
453 courthouse facilities as the chief justice of the housing court department may consider expedient
454 or convenient.

455 The northeastern division of the housing court department shall hold at least 2 sittings
456 each week in Essex county and at least 2 sittings each week in Middlesex county. The court, with
457 the consent of the chief justice of the trial court, shall also sit in any other courthouse facilities as
458 the chief justice of the housing court department may consider expedient or convenient.

459 The southeastern division of the housing court department shall hold at least 3 sittings
460 each week in Bristol county, at least 1 sitting each week in Plymouth county and at least 1 sitting
461 each week in Barnstable county. The court, with the consent of the chief justice of the trial court,
462 shall also sit in any other courthouse facilities as the chief justice of the housing court department
463 may consider expedient or convenient.

464 The metro south division of the housing court department shall hold at least 1 sitting each
465 week in Norfolk county and at least 1 sitting each week in Plymouth county. The court, with the
466 consent of the chief justice of the trial court, shall also sit in any other courthouse facilities as the
467 chief justice of the housing court department may consider expedient or convenient.

Housing Court Expansion 3

468 SECTION 45. Section 8 of said chapter 185C, as so appearing, is hereby amended by striking
469 out the first sentence and inserting in place thereof the following sentence:- There shall be 2
470 justices appointed for the western division, 2 justices appointed for the eastern division, 2
471 justices appointed for the central division, 2 justices appointed for the northeastern division, 2
472 justices appointed for the southeastern division, 2 justices appointed for the metro south division
473 and 3 circuit justices who shall sit in any of the divisions as determined by the chief justice of the
474 housing court department.

Housing Court Expansion 4

475 SECTION 46. Section 1 of chapter 211B of the General Laws, as so appearing, is hereby
476 amended by striking out, in line 7, the figure “378” and inserting in place thereof the following
477 figure:- 383.

Housing Court Expansion 5

478 SECTION 47. Section 2 of said chapter 211B, as so appearing, is hereby amended by striking
479 out, in line 2, the figure “10” and inserting in place thereof the following figure:- 15.

Trial Court Transferability

480 SECTION 48. The third paragraph of section 9A of chapter 211B of the General Laws, as so
481 appearing, is hereby amended by striking out clause (xiii) and inserting in place thereof the
482 following clause:- (xiii) notwithstanding any general or special law to the contrary, the court
483 administrator may transfer funds from any item of appropriation within the trial court to any
484 other item of appropriation in the trial court; provided, however, that not less than 15 days before
485 a transfer under this clause, the court administrator shall submit a schedule to the house and
486 senate committees on ways and means which shall include: (a) the amount transferred from any
487 item of appropriation to any other item of appropriation; (b) the reason for the necessity of the
488 transfer; and (c) the date on which the transfer shall be completed.

Children and Family Law Division Billable Hours Cap Waiver

489 SECTION 49. Section 11 of chapter 211D of the General Laws, as amended by section 119 of
490 chapter 46 of the acts of 2015, is hereby further amended by adding the following subsection:-
491 (d) Notwithstanding the billable hour limitations in subsections (c) and (d), the chief
492 counsel of the committee may waive the annual cap on billable hours for private counsel
493 appointed or assigned to the children and family law cases and the care and protection cases if
494 the chief counsel finds that: (i) there is limited availability of qualified counsel in that practice
495 area; (ii) shifting the services to private counsel would result in cost efficiencies; or (iii) shifting

496 the service to private counsel would improve the quality of service; provided, however, that
497 counsel appointed or assigned to such cases within the private counsel division shall not be paid
498 for any time billed in excess of 1,800 billable hours. It shall be the responsibility of private
499 counsel to manage their billable hours.

Juvenile Probation Fees

500 SECTION 50. Section 87A of chapter 276 of the General Laws, as appearing in the 2014 Official
501 Edition, is hereby amended by adding the following paragraph:-

502 Notwithstanding this section or any other general or special law to the contrary, no fee or
503 surcharge required pursuant to this section shall be assessed upon any person accused or
504 convicted of a crime while under the age of 18 or accused or convicted as a youthful offender as
505 defined in section 52 of chapter 119.

College Savings Account Assets 2

506 SECTION 51. Subsection (b) of section 110 of chapter 5 of the acts of 1995 is hereby amended
507 by striking out the words “and provided further, that the commissioner, deputy commissioner or
508 an assistant commissioner may grant a full or partial written waiver for a vehicle valued in
509 excess of \$15,000 that the commissioner, deputy commissioner or assistant commissioner
510 determines is necessary for a particular employment or family circumstance”, inserted by section
511 22 of chapter 158 of the acts of 2014, and inserting in place thereof the following words:-
512 provided further, that the commissioner, deputy commissioner or an assistant commissioner may
513 grant a full or partial written waiver for a vehicle valued in excess of \$15,000 that the
514 commissioner, deputy commissioner or assistant commissioner determines is necessary for a
515 particular employment or family circumstance; and provided further, that an assistance unit shall
516 be allowed the value and balance of a college savings plan established and maintained pursuant
517 to, or consistent with, section 529 of the Internal Revenue Code.

Earned Income Disregard 1

518 SECTION 52. Said section 110 of said chapter 5 is hereby amended by striking out subsection
519 (d) and inserting in place thereof the following subsection:-

520 (d) The department shall establish levels of assistance that vary according to whether
521 families qualify for the exempt categories of assistance established in subsection (e). Families of
522 comparable size and financial circumstances that are determined to qualify for any such exempt
523 categories of assistance shall be awarded a higher standard of payment than the assistance
524 awarded to families not so qualifying. The lower payment standard shall be 2 ¾ per cent below
525 the higher standard. An earnings disregard of 50 per cent of earned income shall be provided to
526 both exempt and nonexempt families, subject to subsection (g). Neither the lower payment
527 standard nor the 50 per cent disregard shall be effective unless the other provision is also
528 effective.

Earned Income Disregard 2

529 SECTION 53. Subsection (g) of said section 110 of said chapter 5 is hereby amended by striking
530 out the first paragraph and inserting in place thereof the following paragraph:-

531 A recipient, or an applicant who has received transitional aid for families with dependent
532 children within the last 4 calendar months, shall be eligible to have 50 per cent of the remaining
533 gross earned income, after work-related expenses but before dependent care deductions,
534 disregarded for the entire period that such recipient is eligible for assistance.

Housing Memorandum of Understanding

535 SECTION 54. (a) The interagency council on homelessness and housing established by
536 Executive Order number 492, in consultation with the secretary of housing and economic
537 development, the secretary of health and human services, the secretary of labor and workforce
538 development and the secretary of education, shall develop and execute a memorandum of
539 understanding among the secretariats. The memorandum of understanding shall: (i) address
540 existing programs aimed at preventing homelessness and economic instability; (ii) ensure

541 services and resources are coordinated and best practices are in place to more effectively meet
542 the needs of low-income households, the homeless and those at risk of becoming homeless; (iii)
543 require stakeholder input from recipients of services, service providers, advocates and other
544 interested parties; (iv) require quarterly meetings of the secretaries of each executive office; (v)
545 require regular updates and information on programs serving households below 30 per cent of
546 the area median income; and (vi) include the creation of cross-agency teams of staff from each
547 executive office.

548 (b) Not later than April 1, 2017, and every 6 months thereafter, the cross-agency teams
549 shall submit a report to the clerks of the senate and house of representatives and the chairs of the
550 joint committee on housing. The report shall include an analysis of: (i) the total number of
551 housing units affordable to extremely low-income households needed in the commonwealth and
552 the net increase of units towards that benchmark; (ii) programs administered through each state
553 agency that serve households below 30 per cent of the area median income; (iii) the total dollar
554 amount administered by each agency relative to homelessness prevention, services and activities;
555 (iv) programs that can be supplemented with federal funding; (v) differences and gaps in
556 program eligibility between identified programs and strategies to ensure families receive and
557 maintain services and benefits for which they are eligible; (vi) plans and timelines for
558 coordination across the secretariats to provide access to programs, services and benefits for
559 households with incomes below 30 per cent of the area median income; and (vii) any
560 recommendations for legislative and regulatory changes needed to implement the plan and best
561 practices. The biannual reports shall be posted on a website for the interagency council on
562 homelessness and housing.

Tax Expenditure Review Audit Unit 2

563 SECTION 55. Not later than December 31, 2016, the tax expenditure review audit unit shall
564 develop a schedule to review tax expenditures as required under subsection (a) of section 16 of
565 chapter 12A of the General Laws and file the schedule with the clerks of the senate and house of
566 representatives, the senate and house chairs of the joint committee on revenue and the chairs of
567 the house and senate committees on ways and means. The schedule shall be posted on the
568 website of the office of inspector general.

Tax Expenditure Review Audit Unit 3

569 SECTION 56. The first annual report required under subsection (e) of section 16 of chapter 12A
570 of the General Laws shall be filed not later than January 1, 2018.

Other Post-Employment Benefits Liability

571 SECTION 57. (a) Notwithstanding any general or special law to the contrary, the unexpended
572 balances in items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 shall be deposited into the
573 State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws
574 not later than June 30, 2017. The amount deposited shall be an amount equal to 30 per cent of all
575 payments received by the commonwealth in fiscal year 2017 under the master settlement
576 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior
577 Court, No. 95-7378; provided, however, that if in fiscal year 2017 the unexpended balances of
578 said items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 is less than 30 per cent of all
579 payments received by the commonwealth in fiscal year 2017 under the master settlement
580 agreement payments, an amount equal to the difference shall be transferred to the State Retiree
581 Benefits Trust Fund from payments received by the commonwealth under the master settlement
582 agreement.

583 (b) Notwithstanding any general or special law to the contrary, the percentage increase
584 set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2017.

MassHealth Delivery System Reform 6

585 SECTION 58. Notwithstanding any general or special law to the contrary, the secretary of health
586 and human services shall make available \$73,500,000 for deposit in the General Fund from
587 federal financial participation revenues claimed and received by the commonwealth for eligible
588 expenditures made from the MassHealth Delivery System Reform Trust Fund established in
589 section 2SSSS of chapter 29 to the comptroller not later than June 30, 2017.

Commonwealth Care Trust Fund Transfer

590 SECTION 59. Notwithstanding any general or special law to the contrary, the comptroller shall
591 transfer up to \$110,000,000 from the Commonwealth Care Trust Fund established in section
592 2000 of chapter 29 of the General Laws to the General Fund if the secretary of administration
593 and finance requests such transfer in writing.

Department of Mental Health Trust Fund Transfer

594 SECTION 60. Notwithstanding any general or special law to the contrary, the comptroller shall
595 transfer the following amounts to the General Fund not later than June 30, 2017: (i) \$4,000,000
596 from the unexpended balance of the Mental Health Information System Trust Fund; (ii)
597 \$2,000,000 from the H.C. Solomon Mental Health Center Trust Fund; (iii) \$658,436 from the
598 Cape Cod and Islands Mental Health and Retardation Center Trust Fund; and (iv) \$1,000,000
599 from the Quincy Mental Health Center Trust Fund.

Department of Developmental Services Trust Fund Transfer

600 SECTION 61. Notwithstanding any general or special law to the contrary, the comptroller shall
601 transfer \$5,000,000 from the unexpended balance of the Department of Developmental Services
602 Trust Fund established in section 2RRR of chapter 29 of the General Laws to the General Fund
603 not later than June 30, 2017.

Pension Cost of Living Adjustment

604 SECTION 62. Notwithstanding any general or special law to the contrary, the amounts
605 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
606 made available for the Commonwealth's Pension Liability Fund established in section 22 of said
607 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said
608 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said
609 chapter 32, including retirement benefits payable by the state employees' and state teachers'

610 retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant
611 to section 102 of said chapter 32, for the reimbursement of local retirement systems for
612 previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32
613 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The
614 state board of retirement and each city, town, county and district shall verify these costs, subject
615 to rules which shall be adopted by the state treasurer. The state treasurer may make payments
616 upon a transfer of funds to reimburse certain cities and towns for pensions to retired teachers,
617 including any other obligations which the commonwealth has assumed on behalf of any
618 retirement system other than the state employees' retirement system or state teachers' retirement
619 system, including the commonwealth's share of the amounts to be transferred pursuant to section
620 22B of said chapter 32. All payments under this section shall be made only pursuant to
621 distribution of money from the fund and any distribution, and the payments for which
622 distributions are required, shall be detailed in a written report filed quarterly by the secretary of
623 administration and finance with the house and senate committees on ways and means and the
624 joint committee on public service in advance of the distribution. Distributions shall not be made
625 in advance of the date on which a payment is actually to be made. The state board of retirement
626 may expend funds for the board of higher education's optional retirement program pursuant to
627 section 40 of chapter 15A of the General Laws. If the amount transferred pursuant to said
628 subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to
629 adequately fund the annual pension obligations, the excess amount shall be credited to the
630 Pension Reserves Investment Trust Fund established in subdivision (8) of section 22 of said
631 chapter 32 to reduce the unfunded pension liability of the commonwealth.

Pension Forfeiture Commission

632 SECTION 63. There shall be a special commission on pension forfeiture to review the decision
633 of the Supreme Judicial Court in *Public Employee Retirement Administration Commission v.*
634 *Edward A. Bettencourt*, 474 Mass. 60 (2016). The commission shall consist of: the executive
635 director of the public employee retirement administration commission or a designee who shall
636 serve as chair; the house and senate chairs of the joint committee on public service; 2 members
637 of the senate, 1 of whom shall be appointed by the minority leader; 2 members of the house of

638 representatives, 1 of whom shall be appointed by the minority leader; the attorney general or a
639 designee; 1 person who shall be appointed by the Massachusetts District Attorneys Association;
640 and 1 person who shall be appointed by the Retired State, County & Municipal Employees
641 Association of Massachusetts. The special commission shall make recommendations, including
642 proposed amendments to section 15 of chapter 32 of the General Laws. The special commission
643 shall file its recommendations, including any proposed legislation, with the clerks of the senate
644 and house of representatives not later than March 1, 2017.

State Municipal Aid Study

645 SECTION 64. The department of revenue shall conduct a study to determine the feasibility of
646 updating or supplementing the annual estimates of the amount of state aid provided to
647 municipalities, with the intention of capturing all forms of financial assistance provided by the
648 commonwealth to municipalities. The study shall examine the feasibility of notifying each
649 municipality of the: (i) fiscal impact of assistance provided to each municipality for programs not
650 currently accounted for under section 25A of chapter 58 of the General Laws including, but not
651 limited to, teacher retiree pension payments, public school military mitigation pursuant to section
652 95 of chapter 71 of the General Laws, payments in lieu of taxes, water pollution abatement,
653 kindergarten expansion grants and charter school reimbursement pursuant to subsection (gg) of
654 section 89 of chapter 71 of the General Laws; (ii) total amount of state aid awarded to
655 municipalities; and (iii) amount of such assistance received by each municipality. The
656 department shall file the report with the clerks of the house and senate, the chairs of the house
657 and senate committees on ways and means and the chairs of the joint committee on revenue not
658 later than March 1, 2017.

Sheriffs' Working Group

659 SECTION 65. (a) There shall be a working group to examine and propose methods to achieve
660 annual cost savings within each sheriff's office. The working group shall consist of the following
661 individuals or their designees: the president of the Massachusetts Sheriffs Association who shall
662 serve as chair, the secretary of administration and finance, the state auditor and each of the 14

663 sheriffs. Each sheriff's office shall provide information and data as requested by the working
664 group.

665 (b) The working group shall examine methods and make recommendations to reduce
666 operating expenditures including, but not limited to: (i) consolidating inmate medical and other
667 vendor services; (ii) establishing best practices for high quality and cost effective inmate medical
668 services, including federal revenue opportunities for Medicaid reimbursement; (iii) developing
669 innovative personnel initiatives including, but not limited to, reducing overtime costs and the
670 ratio of supervisors to personnel; (iv) formulating equitable ratios of inmates per employee and
671 cost-per-inmate strategies amongst the sheriffs' offices; (v) establishing best practices for
672 spending parity between sheriffs' offices with similar inmate populations; and (vi) implementing
673 more uniform programs and services in each house of correction. The working group shall also
674 examine impediments, costs and timelines for implementing the recommendations. The working
675 group shall utilize the findings of the funding formula developed pursuant to section 172 of
676 chapter 46 of the acts of 2015 in making recommendations under this section.

677 (c) The working group shall submit a report outlining its findings and recommendations
678 to the house and senate committees on ways and means not later than December 1, 2016. In
679 addition to the findings and recommendations required under said subsection (b), the report shall
680 include, but not be limited to: (i) the average cost per inmate in each office over the previous 12
681 months; (ii) the average number of inmates per employee in each office over the previous 12
682 months; (iii) a funding baseline for more equitable cost-per-inmate and inmates-per employee
683 ratios; and (iv) potential annual cost savings identified by the working group for fiscal year 2018.

Health Advice Phone Line Feasibility Study

684 SECTION 66. The secretary of health and human services, in consultation with the
685 commissioner of public health, the assistant secretary of the office of Medicaid and the
686 commissioner of insurance, shall conduct a study on the feasibility of implementing a 24-hour
687 health advice phone line within the department of public health, through a public-private
688 partnership, staffed by registered nurses and other health care providers as recommended by the
689 secretary to advise callers on health matters and ways to access health care services, including
690 behavioral health, in the appropriate setting. The study shall examine the feasibility of

691 establishing a phone line to: (i) provide 24-hour universal access for residents of the
692 commonwealth; (ii) advise callers on health matters and recommend services or treatment; (iii)
693 provide simultaneous interpreter services for callers who do not speak English; (iv) collaborate
694 with the alcohol and drug helpline established in section 18 of chapter 17 of the General Laws
695 and other helplines administered by the department of public health to refer or transfer callers to
696 relevant helplines; and (v) collaborate with private and public insurers to assist callers in locating
697 covered services or providers. The secretary shall solicit feedback from private insurers and other
698 interested stakeholders.

699 The secretary shall submit the report, including a detailed cost estimate, to the house and
700 senate committees on ways and means not later than March 1, 2017.

Inspector General's Audits of the Health Safety Net and MassHealth Program

701 SECTION 67. Notwithstanding any general or special law to the contrary, in hospital fiscal year
702 2017, the office of inspector general may expend a total of \$1,000,000 from the Health Safety
703 Net Trust Fund established in section 66 of chapter 118E of the General Laws for costs
704 associated with maintaining a health safety net audit unit within the office. The unit shall
705 continue to oversee and examine the practices in all hospitals including, but not limited to, the
706 care of the uninsured and the resulting charges. The unit shall also study and review the
707 Medicaid program under said chapter 118E including, but not limited to, reviewing the program's
708 eligibility requirements, utilization, claims administration and compliance with federal mandates.
709 The inspector general shall submit a report to the executive office for administration and finance
710 and the house and senate committees on ways and means on the results of the audits and any
711 other completed analyses not later than March 1, 2017.

Initial Gross Payments to Qualifying Acute Hospitals

712 SECTION 68. Notwithstanding any general or special law to the contrary, not later than October
713 1, 2016, and without further appropriation, the comptroller shall transfer from the General Fund
714 to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General
715 Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community

716 health centers required pursuant to section 69 of said chapter 118E, for the purpose of making
717 initial gross payments to qualifying acute hospitals for the hospital fiscal year beginning October
718 1, 2016. These payments shall be made to hospitals before, and in anticipation of, the payment
719 by hospitals of their gross liability to the fund. The comptroller shall transfer from the fund to the
720 General Fund, not later than June 30, 2017, the amount of the transfer authorized by this section
721 and any allocation of that amount as certified by the director of the health safety net office.

Nursing and Resident Care Facility Base Year

722 SECTION 69. Notwithstanding any general or special law to the contrary, nursing facility and
723 resident care facility rates effective October 1, 2016, under section 13D of chapter 118E of the
724 General Laws may be developed using the costs of calendar year 2007 or any subsequent year as
725 determined by the secretary of health and human services.

Nursing Facility Assessment

726 SECTION 70. Notwithstanding any general or special law to the contrary, the nursing home
727 assessment established in subsection (b) of section 63 of chapter 118E of the General Laws shall
728 be sufficient in the aggregate to generate in fiscal year 2017 the lesser of \$240,000,000 or an
729 amount equal to 6 per cent of the revenues received by the taxpayer, as defined in 42 C.F.R.
730 433.68(f)(3)(i)(A).

MassHealth Dental Services

731 SECTION 71. Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year
732 2017, the executive office of health and human services may determine the extent to which to
733 include within its covered services for adults the federally-optional dental services that were
734 included in its state plan or demonstration program in effect on January 1, 2002; provided,
735 however, that dental services shall be covered for adults at least to the extent covered as of
736 January 1, 2016; and provided further, that notwithstanding any general or special law to the
737 contrary, at least 45 days before restructuring any MassHealth dental benefits, the executive

738 office of health and human services shall file a report with the executive office for administration
739 and finance and the house and senate committees on ways and means detailing the proposed
740 changes and the anticipated fiscal impact of the changes.

Transfers Between Health Funds

741 SECTION 72. Notwithstanding any general or special law to the contrary, the executive office
742 for administration and finance shall transfer \$15,000,000 from the Commonwealth Care Trust
743 Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety Net
744 Trust Fund established in section 66 of chapter 118E of the General Laws. The executive office
745 of health and human services and the health safety net office shall fund the hospital fiscal year
746 2017 payment amount to each hospital for services provided to low-income, uninsured or
747 underinsured residents pursuant to said section 66 and section 69 of said chapter 118E from the
748 Health Safety Net Trust Fund. Payments may be made either as safety net care payments under
749 the commonwealth's waiver pursuant to section 1115 of the Social Security Act or as an
750 adjustment to Title XIX service rate payments or a combination of both. Other federally
751 permissible funding mechanisms available for public service hospitals, as defined by regulations
752 of the executive office of health and human services, may be used to reimburse up to
753 \$70,000,000 of uncompensated care at the hospitals using sources distinct from the funding
754 made available to the Health Safety Net Trust Fund. The secretary of administration and finance,
755 in consultation with the secretary of health and human services and the executive director of the
756 commonwealth health insurance connector authority, shall evaluate on a quarterly basis the
757 revenue needs of the health safety net program funded by the Health Safety Net Trust Fund and
758 subsidized health insurance programs funded by the Commonwealth Care Trust Fund and, if
759 necessary, transfer money between these funds to ensure that sufficient revenues are available to
760 support projected program expenditures. The secretary of administration and finance shall report
761 any transfers made between the Health Safety Net Trust Fund and the Commonwealth Care Trust
762 Fund to the house and senate committees on ways and means and the joint committee on health
763 care financing at least 30 days before making any such transfers.

Fiscal Year 2017 Capital Gains

764 SECTION 73. (a) Notwithstanding section 5G of chapter 29 of the General Laws or any other
765 general or special law to the contrary, if the department of revenue certifies that the amount of
766 tax revenues collected from capital gains income exceeds \$1,278,000,000, then the comptroller
767 shall transfer the amount of tax revenues collected from capital gains income in excess of
768 \$1,278,000,000 to the Commonwealth Stabilization Fund established in section 2H of said
769 chapter 29.

770 (b) To the extent that the amount of tax revenues collected from capital gains income
771 exceeds \$1,484,000,000 in fiscal year 2017, 5 per cent of the amount exceeding \$1,484,000,000
772 that was transferred to the Commonwealth Stabilization Fund under subsection (a) shall then be
773 transferred from the Commonwealth Stabilization Fund to the State Retiree Benefits Trust Fund
774 established in section 24 of chapter 32A of the General Laws and 5 per cent of the amount
775 exceeding \$1,484,000,000 that was transferred to the Commonwealth Stabilization Fund under
776 said subsection (a) shall then be transferred to the Commonwealth's Pension Liability Fund
777 established in section 22 of chapter 32 of the General Laws.

Home Care Commission

778 SECTION 74. There shall be a special commission to make recommendations for the oversight
779 and licensure of private home health agencies and for home health agencies requiring federal
780 certification for operation and reimbursement from the Centers for Medicare and Medicaid
781 Services, or CMS-certified home health agencies. The commission shall: (i) recommend
782 minimum criteria for licensure of private home health agencies; (ii) establish standards of quality
783 measures for home health services provided to consumers; (iii) review current licensure and
784 oversight of CMS-certified home health agencies; (iv) establish licensure guidelines for private
785 home health agencies and CMS-certified home health agencies that provide care to both private
786 and Medicaid waiver populations; (v) ensure that the oversight and licensure of private home
787 health agencies shall not create any duplicative requirements for CMS-certified home health
788 agencies; and (vi) recommend consumer protection measures including, but not limited to, the
789 establishment of a home health agency employee registry.

790 The commission shall consist of: the secretary of elder affairs or a designee who shall
791 serve as chair; the commissioner of public health or a designee; the commissioner of insurance or
792 a designee; the assistant secretary of Medicaid or a designee; the director of labor standards or a
793 designee; the senate and house chairs of the joint committee on consumer protection and
794 professional licensure or their designees; the senate and house chairs of the joint committee on
795 elder affairs or their designees; 1 person who shall be appointed by the senate minority leader; 1
796 person who shall be appointed by the house minority leader; a representative of the Home Care
797 Alliance of Massachusetts, Inc.; a representative of the Home Care Aide Council; and 12 persons
798 to be appointed by the governor, 1 of whom shall be a representative of a long-term care
799 insurance company, 1 of whom shall be a consumer representative, 1 of whom shall be an expert
800 on home health patient safety; 2 of whom shall represent an agency that operates as both a
801 private pay and CMS-certified home health agency, 1 of whom shall be a labor representative of
802 home care workers, 3 of whom shall be providers of CMS-certified home health services of
803 whom, of whom at least 1 shall be a registered nurse, and 3 of whom shall be providers of
804 private pay home health care services, of whom at least 1 shall be a registered nurse. The
805 commission shall issue a report with its recommendations, together with drafts of legislation
806 necessary to carry those recommendations into effect, by filing the same with the clerks of the
807 senate and house of representatives, the joint committee on consumer protection and professional
808 licensure, the joint committee on elder affairs and the house and senate committees on ways and
809 means not later than March 31, 2017.

Special Needs Programs Out-of-State Tuition

810 SECTION 75. Notwithstanding any general or special law to the contrary, the bureau of
811 purchased services in the operational services division shall determine prices for programs
812 pursuant to chapter 71B of the General Laws in fiscal year 2017 by increasing the final fiscal
813 year 2016 price by the rate of inflation as determined by the division. The bureau shall adjust
814 prices for extraordinary relief as defined in 808 CMR 1.06(4). The bureau shall accept
815 applications for program reconstruction and special circumstances in fiscal year 2017. The
816 bureau shall authorize the annual price for out-of-state purchasers requested by a program, not to
817 exceed a maximum price determined by the bureau, by identifying the most recent price

818 calculated for the program and applying the estimated rate of inflation for each year, as
819 determined by the bureau pursuant to section 22N of chapter 7 of the General Laws, in which the
820 rate of inflation is frozen beginning with fiscal year 2004, in a compounded manner for each
821 fiscal year.

Low-Income Student Calculation Study

822 SECTION 76. There shall be an interagency task force to make recommendations on the
823 commonwealth's ability to accurately and efficiently count low-income students in public school
824 districts. The task force shall develop recommendations on topics including, but not limited to:
825 (i) accounting for low-income students who are not present in commonwealth databases serving
826 low-income populations, such as the Supplemental Nutrition Assistance Program, or SNAP, and
827 transitional assistance for families with dependent children, or TAFDC; (ii) overcoming existing
828 obstacles and improving the ability of the commonwealth's data systems to successfully identify
829 matches between school enrollment rosters and enrollment in SNAP, TAFDC, the department of
830 children and families' foster care program and the MassHealth program; and (iii) ensuring that
831 there is no loss of federal Title I or other funds from school districts as a result of undercounting
832 of low-income students.

833 The task force shall include 1 designee from each of the following: the Massachusetts
834 office of information technology; the executive office of education; the department of elementary
835 and secondary education; the department of transitional assistance; the department of children
836 and families; the office of Medicaid; the executive office of health and human services; the
837 Massachusetts Association of School Superintendents; the Massachusetts Law Reform Institute;
838 Project Bread; Health Care for All; and the Massachusetts Budget and Policy Center. The
839 designees from the department of elementary and secondary education and the Massachusetts
840 Association of School Superintendents shall serve as co-chairs.

841 The task force shall:

842 (i) identify best practices in the counting of low-income student populations in other
843 states, including assessing whether using probabilistic matching algorithms would improve direct
844 certification rates in the commonwealth and assessing whether there are other changes to the
845 matching algorithm that would improve direct certification rates in the commonwealth;

846 (ii) identify all relevant data fields currently collected within each of the applicable
847 databases in the commonwealth and determine additional data needed in each of the databases
848 that would improve the ability of the systems to generate successful direct certification matches
849 including, but not limited to, expanded use of the State Assigned Student Identifier and
850 additional name fields and recommendations for implementing any necessary changes to data
851 fields included in the databases;

852 (iii) determine and implement necessary steps to identify partial matches within the
853 Medicaid database;

854 (iv) recommend methods to ensure that direct certification includes all applicable
855 commonwealth programs;

856 (v) recommend methods to ensure the commonwealth is able to accurately identify
857 students eligible for free meals and students in households with incomes up to 185 per cent of the
858 federal poverty level; and

859 (vi) analyze the format in which data are received and reviewed by schools and school
860 districts and the procedures used by schools and school districts to review the data in order to
861 determine ways to simplify procedures for direct certification and the resolution of partial
862 matches at the local level.

863 The task force shall submit its preliminary report with recommendations by filing the
864 same with the clerks of the senate and house of representatives, the senate and house chairs of
865 the joint committee on education and the house and senate committees on ways and means not
866 later than August 31, 2016. The agencies on the task force shall implement appropriate and
867 feasible reforms to achieve the most accurate possible count of low-income students by October
868 1, 2016. The task force shall submit its final report with recommendations by filing the same
869 with the clerks of the senate and house of representatives, the senate and house chairs of the joint
870 committee on education and the house and senate committees on ways and means not later than
871 March 1, 2017.

Department of Conservation Recreation Park Passes

872 SECTION 77. The registry of motor vehicles, in cooperation with the department of
873 conservation and recreation, shall offer for purchase a discounted annual MassParks pass or

874 senior MassParks pass to cover fees for day use admission, and parking for 1 calendar year at
875 state-owned facilities where parking fees are charged, to an applicant for the issuance or renewal
876 of a motor vehicle registration or license to operate a motor vehicle. The secretary of
877 administration and finance shall establish the discounted fee pursuant to section 3B of chapter 7
878 for an annual MassParks pass or senior MassParks pass to be purchased at the registry; provided,
879 however, that the cost of the passes shall not be greater than the cost of those purchased at other
880 department facilities. Fees collected by the registry pursuant to this section shall be transmitted
881 to the department of conservation and recreation and shall not be subject to the cap set forth in
882 item 2810-2042. All funds maintained by the department pursuant to this section shall be
883 expended for expenses, upkeep and improvements to the parks and recreation system. The
884 department shall investigate alternative methods to expand the sales of annual MassParks and
885 senior MassParks passes including, but not limited to, offering multi-year or automatically-
886 renewing annual passes and shall submit the result of its investigation to the clerks of the senate
887 and house of representatives and the senate and house chairs of the joint committee on
888 environment, natural resources and agriculture and the chairs of the house and senate committees
889 on ways and means not later than December 31, 2016.

Massachusetts Department of Transportation Advertising 6

890 SECTION 78. Clauses (49) and (50) of section 3 of chapter 6C of the General Laws shall take
891 effect as of November 1, 2009.

MassHealth Delivery System Reform 7

892 SECTION 79. Section 2SSSS of chapter 29 of the General Laws, inserted by section 25, and
893 sections 37 and 39 shall take effect on October 1, 2016.

MassHealth Delivery System Reform 8

894 SECTION 80. Sections 38 and 40 shall take effect on October 1, 2022.

Effective Date

895 SECTION 81. Except as otherwise specified, this act shall take effect on July 1, 2016.