

HOUSE No. 115

The Commonwealth of Massachusetts

PRESENTED BY:

Demetrius J. Atsalis

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 passage of the accompanying bill:

An Act establishing an office of family and children's ombudsman.

PETITION OF:

NAME:

Demetrius J. Atsalis

DISTRICT/ADDRESS:

Second Barnstable

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 70 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING AN OFFICE OF FAMILY AND CHILDREN'S OMBUDSMAN.

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 6 of the General Laws, as appearing in the 2006

2
3 Official Edition, is hereby amended by adding the following section:—

4 Section 214. There is hereby established an office of the family and children's ombudsman under the
5 exclusive supervision and control of a director who shall be appointed by the secretary of health and human
6 services with the approval of the governor. The purpose of the office is to provide an independent voice for
7 families and children who have been placed under the supervision of the department of social services.

8 The position of director shall be classified in accordance with section 45 of chapter 30, and the salary shall
9 be determined in accordance with section 46C of said chapter 30. The director shall devote full time during business
10 hours to the duties of the office. The director shall be authorized, subject to appropriation, to appoint and may
11 remove such assistant directors and such other employees and consultants as may be necessary to perform the
12 functions of the office set forth in section 207. The provisions of chapter 31 shall not apply to the director, to such
13 assistant directors as the director may appoint, or to such supervisory positions as the director may create.

14 The office shall have the following powers: (a) provide an independent resource for families and children to
15 seek redress of grievances with the department; (b) monitor the department's compliance with existing laws, policies
16 and procedures; (c) propose amendments and improvement of existing laws, policies and procedures to promote
17 family preservation and reunification and children's safety, well-being and permanency; (d) serve as liaison among
18 consumers, the department, the general court, the governor and the children's bureau; (e) identify and articulate to
19 the general court, governor, public agencies and the public the needs of these families and children; (f) provide
20 public information relative to laws and services affecting the families and children; (g) oversee the accuracy and
21 timeliness of the department's reporting of data with regard to those children, and investigate consumer complaints
22 and recommend to appropriate authorities solutions.