

HOUSE No. 138

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 relative to fair pay for comparable work.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Ruth B. Balseer</i>	<i>12th Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>

<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>David Biele</i>	<i>4th Suffolk</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Gerard J. Cassidy</i>	<i>9th Plymouth</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Daniel R. Cullinane</i>	<i>12th Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No. 138

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 138) of Kay Khan and others for legislation to increase the rate of reimbursement for certain human services providers. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to fair pay for comparable work.

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 6A of the General Laws, as so appearing in the 2016 Official
2 Edition, is hereby amended by adding the following section:-

3

4 Section 105. (a) As used in this section, the following words shall, unless the
5 context clearly requires otherwise, have the following meanings:

6

7 “human service provider,” a community-based human services organization with a
8 human services program funded by the executive office of health and human services, the
9 executive office of elder affairs, the department of housing and community development or the
10 department of early education and care.

11

12 “human services worker,” an employee of a human service provider who provides
13 treatment, support, or services to clients or their families.

14

15 “disparity amount,” the monetary calculation of the average difference in salary
16 between human service workers and direct support workers or other comparable employees
17 employed by the commonwealth’s state-operated programs for human services.

18

19 “rate,” the reimbursement rate paid by the executive office of health and human
20 services, the executive office of elder affairs, the department of housing and community
21 development or the department of early education and care to a human service provider to
22 deliver services to clients on the commonwealth’s behalf.

23

24 (b) Notwithstanding any general or special law to the contrary, the executive office
25 of health and human services, the executive office of elder affairs, the department of housing and
26 community development or the department of early education and care shall increase shall
27 increase the rate of reimbursement for human services providers by an amount that reduces the
28 disparity amount, as defined by subsection (a), to:

29

30 (1) 50 percent on or before July 1, 2021;

31

32 (2) 35 percent on or before July 1, 2022;

33

34 (3) 20 percent on or before July 1, 2023;

35

36 (4) 5 percent on or before July 1, 2024; and

37

38 (5) 0 percent on or before July 1, 2025, and shall remain at 0 percent thereafter.

39

40 (c) All increases in the rate of reimbursement provided for in this section shall be
41 used to increase the compensation of human services workers.

42 (d) The executive office of health and human services, the executive office of
43 administration and finance, the executive office of elder affairs, the department of housing and
44 community development, and the department of early education and care shall adopt regulations
45 to implement this section.

46

47 (e) Nothing in this section shall be construed to prohibit the elimination of the
48 disparity amount prior to July 1, 2025.

49 SECTION 2. On or before January 1, 2020, the executive office of health and
50 human services, the executive office of administration and finance, the executive office of elder

51 affairs, the department of housing and community development, and the department of early
52 education and care, in collaboration with the Massachusetts Council of Human Service
53 Providers, Inc., shall provide a report to the senate and house committees on ways and means
54 that includes recommendations to strengthen recruitment and retention of human services
55 workers, as defined in subsection (a) of section 105 of chapter 6A of the General Laws,
56 employed by human services providers, as defined in subsection (a) of section 105 of chapter 6A
57 of the General Laws, that have contracts with the state.

58

59 SECTION 3. On or before July 1, 2020, the executive office of health and human
60 services, the executive office of elder affairs, the department of housing and community
61 development or the department of early education and care, in collaboration with the
62 Massachusetts Council of Human Service Providers, Inc., shall provide a report to the senate and
63 house committees on ways and means, the joint committee on children, families and persons
64 with disabilities, the joint committee on elder affairs, the joint committee on health care
65 financing, the joint committee on mental health, substance use, and recovery, the joint committee
66 on public health, and the joint committee on state administration and regulatory oversight that
67 includes the following information:

68

69 (1) the current disparity amount, as defined in subsection (a) of section 105 of
70 chapter 6A of the General Laws, between the salaries of human services workers, as defined in
71 subsection (a) of section 105 of chapter 6A of the General Laws, employed by human service
72 providers, as defined in subsection (a) of section 105 of chapter 6A of the General Laws, and

73 direct support workers or other comparable employees employed by the commonwealth's state-
74 operated programs for human services; and

75

76 (2) the amount of annual increases in the rate of reimbursement, as defined in
77 subsection (a) of section 105 of chapter 6A of the General Laws, to human service providers
78 necessary to reduce and eliminate the disparity amount by July 1, 2025.

79