

HOUSE No. 3774

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

**MESSAGE FROM HIS EXCELLENCY THE
GOVERNOR SUBMITTING REORGANIZATION PLAN
NUMBER 1 OF 2021, RELATIVE TO REORGANIZING
CERTAIN LICENSING AGENCIES OF THE
EXECUTIVE DEPARTMENT.**

**(under Article LXXXVII
of the Amendments
to the Constitution)**

May 24, 2021

HOUSE No. 3774

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

May 19, 2021

To the Honorable Senate and House of Representatives,

As provided in Article LXXXVII of the Amendments to the Constitution, I submit for your consideration “An act reorganizing certain licensing agencies of the executive department.”

This Article 87 plan will transfer certain health-related licensing boards currently within the Division of Professional Licensure to the Department of Public Health and change the name of the Division of Professional Licensure to the Division of Occupational Licensure. This Administration made a similar proposal to transfer health-related boards during the last legislative session. By transferring these health-related licensing boards, the Commonwealth will be better served with the licensing functions within an agency more appropriately aligned with their areas of expertise. Licensed health professionals will directly benefit from the oversight of the Department of Public Health, which is staffed by many public health experts and licensed health professionals who regularly work with the myriad of state and federal laws and regulations. This will foster more collaboration and coordination between DPH, the boards, and licensed health professionals.

Upon the transfer of these boards, the agency currently known as the Division of Professional Licensure will retain oversight of 15 boards of registration covering licensure of a variety of occupations ranging from electricians to massage therapists, as well as oversight of 10 boards, bureaus or other governing bodies within the Office of Public Safety and Inspections, and the Office of Private Occupational School Education. Changing the name of the agency to

the Division of Occupational Licensure will more accurately reflect its function and purpose in assisting the people of the Commonwealth.

Accordingly, I urge your favorable consideration of this reorganizational plan.

Respectfully submitted,

Charles D. Baker,
Governor

HOUSE No. 3774

Message from His Excellency the Governor recommending legislation relative to reorganizing certain licensing agencies of the executive department.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act reorganizing certain licensing agencies of the executive department.

Be it approved pursuant to Article LXXXVII of the Amendments to the Constitution and by the authority of the same, as follows:

1 SECTION 1. Section 172K of chapter 6 of the General Laws, as so appearing in the 2018
2 Official Edition, is hereby amended by striking out, in lines 20 to 21, the word “professional”
3 and inserting in place thereof the following word:- occupational.

4 SECTION 2. Section 16G of chapter 6A of the General Laws, as so appearing, is hereby
5 amended by striking out, in line 20, the word “professional” and inserting in place thereof the
6 following word:- occupational.

7 SECTION 3. Section 35V of chapter 10 of the General Laws, as so appearing, is hereby
8 amended by striking out, in lines 2 and 3, the word “Professional”, each time it appears, and
9 inserting in place thereof, in each instance, the following word:- Occupational.

10 SECTION 4. Said section 35V of said chapter 10 of the General Laws, as so appearing, is
11 hereby further amended by striking out, in lines 4 and 10, the word “professional”, each time it
12 appears, and inserting in place thereof, in each instance, the following word:- occupational.

13 SECTION 5. Section 8 of chapter 13 of the General Laws, as so appearing, is hereby
14 amended by striking out, in line 1, the word “professional” and inserting in place thereof the
15 following word:- occupational.

16 SECTION 6. Section 8A of said chapter 13 of the General Laws, as so appearing, is
17 hereby amended by striking out, in line 2 and in lines 9 to 10, the word “professional”, each time
18 it appears, and inserting in place thereof, in each instance, the following word:- occupational.

19 SECTION 7. Section 9 of said chapter 13 of the General Laws, as so appearing, is hereby
20 amended by inserting after the word “workers”, in line 8, the following words:- , the board of
21 registration in naturopathy, the board of registration of social workers, the board of registration
22 of psychologists, the board of registration of allied mental health and human services
23 professions, the board of allied health professions, the board of registration of dieticians and
24 nutritionists, the board of registration in podiatry, the board of registration in optometry, the
25 board of registration of dispensing opticians, the board of registration of chiropractors, the board
26 of registration of speech-language pathology and audiology, the board of registration of hearing
27 instrument specialists, the board of certification of health officers, the board of registration of
28 sanitarians.

29 SECTION 8. Said section 9 of said chapter 13 of the General Laws, as so appearing, is
30 hereby further amended by striking out, in lines 11 and 14, the word “professional”, each time it
31 appears, and inserting in place thereof, in each instance, the following word:- occupational.

32 SECTION 9. Section 11D of said chapter 13 of the General Laws, as so appearing, is
33 hereby amended by striking out, in lines 1 and 2, the words “division of professional licensure”
34 and inserting in place thereof the following words;- department of public health.

35 SECTION 10. Section 22 of said chapter 13 of the General Laws, as so appearing, is
36 hereby amended by striking out, in line 74, the word “professional” and inserting in place thereof
37 the following word:- occupational.

38 SECTION 11. Section 36 of said chapter 13 of the General Laws, as so appearing, is
39 hereby amended by striking out, in line 5, the word “professional” and inserting in place thereof
40 the following word:- occupational.

41

42 SECTION 12. Section 44A of said chapter 13 of the General Laws, as so appearing, is
43 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
44 the following word:- occupational.

45 SECTION 13. Section 79 of said chapter 13 of the General Laws, as so appearing, is
46 hereby amended by striking out, in lines 17 and 18 and in line 27, the words “director of
47 consumer affairs and business regulations”, each time it appears, and inserting in place thereof,
48 in each instance, the following words:- commissioner of public health.

49 SECTION 14. Section 84 of said chapter 13 of the General Laws, as so appearing, is
50 hereby amended by striking out, in lines 8 and 9, the words “division of professional licensure”
51 and inserting in place thereof the following words:- department of public health.

52 SECTION 15. Said section 84 of said chapter 13 of the General Laws, as so appearing, is
53 hereby further amended by striking out, in lines 44 and 45, the words “Division of Professional
54 Licensure Trust Fund established in section 35V” and inserting in place thereof the following
55 words:- Quality in Health Professions Trust Fund established in section 35X.

56 SECTION 16. Section 88 of said chapter 13 of the General Laws, as so appearing, is
57 hereby amended by striking out, in lines 1 and 2, the words “division of professional licensure”
58 and inserting in place thereof the following words:- department of public health.

59 SECTION 16A. The first paragraph of section 90 of said chapter 13 of the General
60 Laws, as so appearing, is hereby amended by striking out the third sentence.

61 SECTION 17. Said section 90 of said chapter 13 of the General Laws, as so appearing, is
62 hereby amended by striking out, in line 18, the words “director of consumer affairs and business
63 regulations” and inserting in place thereof the following words:- commissioner of public health.

64 SECTION 18. Section 94 of said chapter 13 of the General Laws, as so appearing, is
65 hereby amended by striking out, in line 13, the words” director of registration” and inserting in
66 place thereof the following words:- commissioner of public health.

67 SECTION 19. Section 96 of said chapter 13 of the General Laws, as so appearing, is
68 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
69 the following word:- occupational.

70 SECTION 20. Section 98 of said chapter 13 of the General Laws, as so appearing, is
71 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
72 the following word:- occupational.

73 SECTION 21. Section 101 of said chapter 13 of the General Laws, as so appearing, is
74 hereby amended by striking out, in lines 1 and 4, the word “professional”, each time it appears,
75 and inserting in place thereof, in each instance, the following word:- occupational.

76 SECTION 22. Section 102 of said chapter 13 of the General Laws, as so appearing, is
77 hereby amended by striking out, in lines 8 to 9, the word “professional” and inserting in place
78 thereof the following word:- occupational.

79 SECTION 23. Section 105 of said chapter 13 of the General Laws, as so appearing, is
80 hereby amended by striking out, in lines 5 and 6, the words” division of professional licensure”
81 and inserting in place thereof the following words:- department of public health.

82 SECTION 24. Section 1 of chapter 22 of the General Laws, as so appearing, is hereby
83 amended by striking out, in lines 2 and 3, the word “professional”, each time it appears, and
84 inserting in place thereof, in each instance, the following word:- occupational.

85 SECTION 25. Section 10A of said chapter 22 of the General Laws, as so appearing, is
86 hereby amended by striking out the word “professional”, each time it appears, and inserting in
87 place thereof, in each instance, the following word:- occupational.

88 SECTION 26. Section 11 of said chapter 22 of the General Laws, as so appearing, is
89 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
90 the following word:- occupational.

91 SECTION 27. Section 11A of said chapter 22 of the General Laws, as so appearing, is
92 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
93 the following word:- occupational.

94 SECTION 28. Section 12 of said chapter 22 of the General Laws, as so appearing, is
95 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
96 the following word:- occupational.

97 SECTION 29. Section 13A of said chapter 22 of the General Laws, as so appearing, is
98 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
99 the following word:- occupational.

100 SECTION 30. Section 20 of said chapter 22 of the General Laws, as so appearing, is
101 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
102 the following word:- occupational.

103 SECTION 31. Section 22 of said chapter 22 of the General Laws, as so appearing, is
104 hereby amended by striking out the word “professional”, each time it appears, and inserting in
105 place thereof, in each instance, the following word:- occupational.

106 SECTION 32. Section 9H of chapter 23 of the General Laws, as so appearing, is hereby
107 amended by striking out, in line 7, the word “professional” and inserting in place thereof the
108 following word:- occupational.

109 SECTION 33. Section 11H of said chapter 23 of the General Laws, as so appearing, is
110 hereby amended by striking out, in lines 39 to 40, the word “professional” and inserting in place
111 thereof the following word:- occupational.

112 SECTION 34. Section 2AAAA of chapter 29 of the General Laws, as so appearing, is
113 hereby amended by striking out, in lines 4 and 9, the word “professional”, each time it appears,
114 and inserting in place thereof, in each instance, the following word:- occupational.

115 SECTION 35. Section 50 of chapter 30 of the General Laws, as so appearing, is hereby
116 amended by striking out, in line 9, the word “professional” and inserting in place thereof the
117 following word:- occupational.

118 SECTION 36. Section 48 of chapter 31 of the General Laws, as so appearing, is hereby
119 amended by striking out, in line 15, the word “professional” and inserting in place thereof the
120 following word:- occupational.

121 SECTION 37. Section 3 of chapter 32 of the General Laws, as so appearing, is hereby
122 amended by striking out, in line 257, the word “professional” and inserting in place thereof the
123 following word:- occupational.

124 SECTION 38. Section 89 of chapter 32 of the General Laws, as so appearing, is hereby
125 amended by striking out, in lines 83 to 84, the word “professional” and inserting in place thereof
126 the following word:- occupational.

127 SECTION 39. Section 1 of chapter 82A of the General Laws, as so appearing, is hereby
128 amended by striking out the word “professional”, each time it appears, and inserting in place
129 thereof, in each instance, the following word:- occupational.

130 SECTION 40. Section 2 of said chapter 82A of the General Laws, as so appearing, is
131 hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof
132 the following word:- occupational.

133 SECTION 41. Section 3 of said chapter 82A of the General Laws, as so appearing, is
134 hereby amended by

135 striking out, in lines 17 and 30, the word “professional”, each time it appears, and
136 inserting in place thereof, in each instance, the following word:- occupational.

137 SECTION 42. Section 18A of chapter 93 of the General Laws, as so appearing, is hereby
138 amended by striking out, in line 4, the word “professional” and inserting in place thereof the
139 following word:- occupational.

140 SECTION 43. Section 1 of chapter 105 of the General Laws, as so appearing, is hereby
141 amended by striking out, in line 1, the word “professional” and inserting in place thereof the
142 following word:- occupational.

143 SECTION 44. Section 51 of chapter 111 of the General Laws, as so appearing, is hereby
144 amended by striking out the word “professional”, each time it appears, and inserting in place
145 thereof, in each instance, the following word:- occupational.

146 SECTION 45. Section 71 of said chapter 111 of the General Laws, as so appearing, is
147 hereby amended by striking out the word “professional”, each time it appears, and inserting in
148 place thereof, in each instance, the following word:- occupational.

149 SECTION 46. Section 1 of chapter 112 of the General Laws, as so appearing, is hereby
150 amended by striking out, in lines 1 and 3, the word “professional”, each time it appears, and
151 inserting in place thereof, in each instance, the following word:- occupational.

152 SECTION 47. Said section 1 of said chapter 112 of the General Laws, as so appearing, is
153 hereby further amended by inserting after the word “dentistry”, in line 12, the following words:- ,
154 the board of registration of genetic counselors, the board of registration of community health
155 workers, the board of registration in naturopathy, the board of registration of social workers, the
156 board of registration of psychologists, the board of registration of allied mental health and human
157 services professions, the board of allied health professions, the board of registration of dieticians
158 and nutritionists, the board of registration in podiatry, the board of registration in optometry, the

159 board of registration of dispensing opticians, the board of registration of chiropractors, the board
160 of registration of speech-language pathology and audiology, the board of registration of hearing
161 instrument specialists, the board of certification of health officers, the board of registration of
162 sanitarians.

163 SECTION 48. Section 1B of said chapter 112 of the General Laws, as so appearing, is
164 hereby amended by striking out the word “professional”, each time it appears, and inserting in
165 place thereof, in each instance, the following word:- occupational.

166 SECTION 49. Section 23M½ of said chapter 112 of the General Laws, as so appearing, is
167 hereby amended by striking out, in lines 7 and 8, the words “Division of Professional Licensure
168 Trust Fund established by Section 35V” and inserting in place thereof the following words:-
169 Quality in Health Professions Trust Fund established in Section 35X.

170 SECTION 50. Section 24H of said chapter 112 of the General Laws, as so appearing, is
171 hereby amended by striking out, in line 31, the word “professional” and inserting in place thereof
172 the following word:- occupational.

173 SECTION 51. Section 61 of said chapter 112 of the General Laws, as so appearing, is
174 hereby amended by striking out, in lines 5, 18 to 19, and 50 to 51, the word “professional”, each
175 time it appears, and inserting in place thereof, in each instance, the following word:-
176 occupational.

177 SECTION 52. Section 65 of said chapter 112 of the General Laws, as so appearing, is
178 hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof
179 the following word:- occupational.

180 SECTION 53. Section 65A of said chapter 112 of the General Laws, as so appearing, is
181 hereby amended by striking out, in line 3, the word “professional” and inserting in place thereof
182 the following word:- occupational.

183 SECTION 54. Section 65B of said chapter 112 of the General Laws, as so appearing, is
184 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
185 the following word:- occupational.

186 SECTION 55. Section 65D of said chapter 112 of the General Laws, as so appearing, is
187 hereby amended by striking out, in lines 2 to 3, the word “professional” and inserting in place
188 thereof the following word:- occupational.

189 SECTION 56. Said section 65D of said chapter 112 of the General Laws, as so appearing,
190 is hereby further amended by striking out, in line 4, the word “Professional”, and inserting in
191 place thereof the following word:- Occupational.

192 SECTION 57. Section 65E of said chapter 112 of the General Laws, as so appearing, is
193 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
194 the following word:- occupational.

195 SECTION 58. Section 65F of said chapter 112 of the General Laws, as so appearing, is
196 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
197 the following word:- occupational.

198 SECTION 59. Section 87CC of said chapter 112 of the General Laws, as so appearing, is
199 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
200 the following word:- occupational.

201 SECTION 60. Section 87EE of said chapter 112 of the General Laws, as so appearing, is
202 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
203 the following word:- occupational.

204 SECTION 61. Section 94A of said chapter 112 of the General Laws, as so appearing, is
205 hereby amended by striking, in lines 32 and 33, the words “division of professional licensure”
206 and inserting in place thereof the following words:- department of public health.

207 SECTION 62. Said section 94A of said chapter 112 of the General Laws, as so appearing,
208 is hereby further amended by striking, in lines 35 and 36, the words “Division of Professional
209 Licensure Trust Fund established by Section 35V” and inserting in place thereof the following
210 words:- Quality in Health Professions Trust Fund established in Section 35X.

211 SECTION 63. Section 181 of said chapter 112 of the General Laws, as so appearing, is
212 hereby amended by striking out, in line 46, the word “professional” and inserting in place thereof
213 the following word:- occupational.

214 SECTION 64. Section 203 of said chapter 112 of the General Laws, as so appearing, is
215 hereby amended by striking, in lines 7 and 8, the words “division of registration” and inserting in
216 place thereof the following words;- department of public health.

217 SECTION 65. Section 221 of said chapter 112 of the General Laws, as so appearing, is
218 hereby amended by striking out, in line 13, the word “registration” and inserting in place thereof
219 the following words:- occupational licensure.

220 SECTION 66. Section 229 of said chapter 112 of the General Laws, as so appearing, is
221 hereby amended by striking out, in line 24, the word “professional” and inserting in place thereof
222 the following word:- occupational.

223 SECTION 67. Section 232 of said chapter 112 of the General Laws, as so appearing, is
224 hereby amended by striking out, in lines 7 to 8, the word “professional” and inserting in place
225 thereof the following word:- occupational.

226 SECTION 68. Section 233 of said chapter 112 of the General Laws, as so appearing, is
227 hereby amended by striking out, in line 11, the word “professional” and inserting in place thereof
228 the following word:- occupational.

229 SECTION 69. Section 245 of said chapter 112 of the General Laws, as so appearing, is
230 hereby amended by striking out, in lines 6 to 7, the word “professional” and inserting in place
231 thereof the following word:- occupational.

232 SECTION 70. Section 250 of said chapter 112 of the General Laws, as so appearing, is
233 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
234 the following word:- occupational.

235 SECTION 71. Section 263 of said chapter 112 of the General Laws, as so appearing, is
236 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
237 the following word:- occupational.

238 SECTION 72. Section 26 of chapter 121B of the General Laws, as so appearing, is
239 hereby amended by striking out, in line 100, the word “professional” and inserting in place
240 thereof the following word:- occupational.

241 SECTION 73. Section 28 of said chapter 121B of the General Laws, as so appearing, is
242 hereby amended by striking out, in lines 7 and 29, the word “professional”, each time it appears,
243 and inserting in place thereof, in each instance, the following word:- occupational.

244 SECTION 74. Section 4 of chapter 136 of the General Laws, as so appearing, is hereby
245 amended by striking out the word “professional”, each time it appears, and inserting in place
246 thereof, in each instance, the following word:- occupational.

247 SECTION 75. Section 180B of chapter 140 of the General Laws, as so appearing, is
248 hereby amended by striking out, in line 5, the word “professional” and inserting in place thereof
249 the following word:- occupational.

250 SECTION 76. Section 180C of said chapter 140 of the General Laws, as so appearing, is
251 hereby amended by striking out, in lines 2 and 23, the word “professional” and inserting in place
252 thereof the following word:- occupational.

253 SECTION 77. Section 180G of said chapter 140 of the General Laws, as so appearing, is
254 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
255 the following word:- occupational.

256 SECTION 78. Section 181A of said chapter 140 of the General Laws, as so appearing, is
257 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
258 the following word:- occupational.

259 SECTION 79. Section 183 of said chapter 140 of the General Laws, as so appearing, is
260 hereby amended by striking out, in line 8, the word “professional” and inserting in place thereof
261 the following word:- occupational.

262 SECTION 80. Section 183A of said chapter 140 of the General Laws, as so appearing, is
263 hereby amended by striking out, in line 98, the word “professional” and inserting in place thereof
264 the following word:- occupational.

265 SECTION 81. Section 185A of said chapter 140 of the General Laws, as so appearing, is
266 hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof
267 the following word:- occupational.

268 SECTION 82. Section 205A of said chapter 140 of the General Laws, as so appearing, is
269 hereby amended by striking out the word “professional”, each time it appears, and inserting in
270 place thereof, in each instance, the following word:- occupational.

271 SECTION 83. Section 1A of chapter 141 of the General Laws, as so appearing, is hereby
272 amended by striking out, in line 9, the word “professional” and inserting in place thereof the
273 following word:- occupational.

274 SECTION 84. Section 1 of chapter 143 of the General Laws, as so appearing, is hereby
275 amended by striking out the word “professional”, each time it appears, and inserting in place
276 thereof, in each instance, the following word:- occupational.

277 SECTION 85. Section 3T of said chapter 143 of the General Laws, as so appearing, is
278 hereby amended by striking out, in line 6, the word “professional” and inserting in place thereof
279 the following word:- occupational.

280 SECTION 86. Section 13 of said chapter 143 of the General Laws, as so appearing, is
281 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
282 the following word:- occupational.

283 SECTION 87. Section 62A of said chapter 143 of the General Laws, as so appearing, is
284 hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof
285 the following word:- occupational.

286 SECTION 88. Section 68 of said chapter 143 of the General Laws, as so appearing, is
287 hereby amended by striking out, in line 9, the word “professional” and inserting in place thereof
288 the following word:- occupational.

289 SECTION 89. Section 71A of said chapter 143 of the General Laws, as so appearing, is
290 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
291 the following word:- occupational.

292 SECTION 90. Section 71B of said chapter 143 of the General Laws, as so appearing, is
293 hereby amended by striking out, in line 15, the word “professional” and inserting in place thereof
294 the following word:- occupational.

295 SECTION 91. Section 81 of said chapter 143 of the General Laws, as so appearing, is
296 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
297 the following word:- occupational.

298 SECTION 92. Section 82 of said chapter 143 of the General Laws, as so appearing, is
299 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
300 the following word:- occupational.

301 SECTION 93. Section 84 of said chapter 143 of the General Laws, as so appearing, is
302 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
303 the following word:- occupational.

304 SECTION 94. Section 85 of said chapter 143 of the General Laws, as so appearing, is
305 hereby amended by striking out, in lines 2 to 3, the word “professional” and inserting in place
306 thereof the following word:- occupational.

307 SECTION 95. Section 93 of said chapter 143 of the General Laws, as so appearing, is
308 hereby amended by striking out, in lines 2, 8, and 45, the word “professional”, each time it
309 appears, and inserting in place thereof, in each instance, the following word:- occupational.

310 SECTION 96. Section 94 of said chapter 143 of the General Laws, as so appearing, is
311 hereby amended by striking out, in lines 94 to 95, the word “professional” and inserting in place
312 thereof the following word:- occupational.

313 SECTION 97. Section 100 of said chapter 143 of the General Laws, as so appearing, is
314 hereby amended by striking out, in line 1, the word “professional” and inserting in place thereof
315 the following word:- occupational.

316 SECTION 98. Section 53 of chapter 146 of the General Laws, as so appearing, is hereby
317 amended by striking out the word “professional”, each time it appears, and inserting in place
318 thereof, in each instance, the following word:- occupational.

319 SECTION 99. Section 53A of said chapter 146 of the General Laws, as so appearing, is
320 hereby amended by striking out, in lines 1 and 8, the word “professional”, each time it appears,
321 and inserting in place thereof, in each instance, the following word:- occupational.

322 SECTION 100. Section 56A of said chapter 146 of the General Laws, as so appearing, is
323 hereby amended by striking out the word “professional”, each time it appears, and inserting in
324 place thereof, in each instance, the following word:- occupational.

325 SECTION 101. Section 57A of said chapter 146 of the General Laws, as so appearing, is
326 hereby amended by striking out, in line 3, the word “professional” and inserting in place thereof
327 the following word:- occupational.

328 SECTION 102. Section 62A of said chapter 146 of the General Laws, as so appearing, is
329 hereby amended by striking out, in line 33 and lines 37 to 38, the word “professional”, each time
330 it appears, and inserting in place thereof, in each instance, the following word:- occupational.

331 SECTION 103. Section 65 of said chapter 146 of the General Laws, as so appearing, is
332 hereby amended by striking out, in lines 2 and 4, the word “professional”, each time it appears,
333 and inserting in place thereof, in each instance, the following word:- occupational.

334 SECTION 104. Section 65A of said chapter 146 of the General Laws, as so appearing, is
335 hereby amended by striking out, in line 7, the word “professional” and inserting in place thereof
336 the following word:- occupational.

337 SECTION 105. Section 66A of said chapter 146 of the General Laws, as so appearing, is
338 hereby amended by striking out, in lines 4 and 6, the word “professional”, each time it appears,
339 and inserting in place thereof, in each instance, the following word:- occupational.

340 SECTION 106. Section 67 of said chapter 146 of the General Laws, as so appearing, is
341 hereby amended by striking out, in line 30, the word “professional” and inserting in place thereof
342 the following word:- occupational.

343 SECTION 107. Section 83 of said chapter 146 of the General Laws, as so appearing, is
344 hereby amended by striking out the word “professional”, each time it appears, and inserting in
345 place thereof, in each instance, the following word:- occupational.

346 SECTION 108. Section 85 of said chapter 146 of the General Laws, as so appearing, is
347 hereby amended by striking out, in lines 3 and 4, the word “professional”, each time it appears,
348 and inserting in place thereof, in each instance, the following word:- occupational.

349 SECTION 109. Section 85A of said chapter 146 of the General Laws, as so appearing, is
350 hereby amended by striking out, in line 4, the word “professional” and inserting in place thereof
351 the following word:- occupational.

352 SECTION 110. Section 1 of chapter 147 of the General Laws, as so appearing, is hereby
353 amended by striking out, in lines 1 and 4, the word “professional”, each time it appears, and
354 inserting in place thereof, in each instance, the following word:- occupational.

355 SECTION 111. Section 56 of said chapter 147 of the General Laws, as so appearing, is
356 hereby amended by striking out, in line 6, the word “professional” and inserting in place thereof
357 the following word:- occupational.

358 SECTION 112. Section 1 of chapter 148A of the General Laws, as so appearing, is
359 hereby amended by striking out, in line 19, the word “professional” and inserting in place thereof
360 the following word:- occupational.

361 SECTION 113. Section 2 of chapter said 148A of the General Laws, as so appearing, is
362 hereby amended by striking out, in line 74, the word “professional” and inserting in place thereof
363 the following word:- occupational.

364 SECTION 114. Section 3 of chapter said 148A of the General Laws, as so appearing, is
365 hereby amended by striking out, in line 76, the word “professional” and inserting in place thereof
366 the following word:- occupational.

367 SECTION 115. Section 4 of chapter said 148A of the General Laws, as so appearing, is
368 hereby amended by striking out, in lines 2 and 10, the word “professional”, each time it appears,
369 and inserting in place thereof, in each instance, the following word:- occupational.

370 SECTION 116. Section 44 of chapter 149 of the General Laws, as so appearing, is hereby
371 amended by striking out, in line 4, the word “professional” and inserting in place thereof the
372 following word:- occupational.

373 SECTION 117. Section 116 of said chapter 149 of the General Laws, as so appearing, is
374 hereby amended by striking out, in line 2, the word “professional” and inserting in place thereof
375 the following word:- occupational.

376 SECTION 118. Section 129D of said chapter 149 of the General Laws, as so appearing,
377 is hereby amended by striking out, in lines 2 and 4, the word “professional”, each time it appears,
378 and inserting in place thereof, in each instance, the following word:- occupational.

379 SECTION 119. Section 113V of chapter 175 of the General Laws, as so appearing, is
380 hereby amended by striking out, in lines 10 and 11 and in lines 58 and 59, the words “division of
381 professional licensure”, each time they appear, and inserting in place thereof, in each instance,
382 the following words:- department of public health.

383 SECTION 120. Section 28 of chapter 180 of the General Laws, as so appearing, is hereby
384 amended by striking out, in line 8, the word “professional” and inserting in place thereof the
385 following word:- occupational.

386 SECTION 121. Section 3 of chapter 239 of the General Laws, as so appearing, is hereby
387 amended by striking out, in line 24, the word “professional” and inserting in place thereof the
388 following word:- occupational.

389 SECTION 122. Section 4 of said chapter 239 of the General Laws, as so appearing, is
390 hereby amended by striking out the word “professional”, each time it appears, and inserting in
391 place thereof, in each instance, the following word:- occupational.

392 SECTION 123. Section 25 of chapter 270 of the General Laws, as so appearing, is hereby
393 amended by striking out, in line 21, the word “professional” and inserting in place thereof the
394 following word:- occupational.

395 SECTION 124. Section 7A of chapter 271 of the General Laws, as so appearing, is
396 hereby amended by striking out the word “professional”, each time it appears, and inserting in
397 place thereof, in each instance, the following word:- occupational.

398 SECTION 125. Whenever the following former names appear in any general or special
399 law, regulation, contract or other document, they shall be taken to mean the following new
400 names, respectively:

401 (a) the division of professional licensure, the division of occupational licensure;

402 (b) the division of registration, the division of occupational licensure;

403 (c) the Division of Professional Licensure Trust Fund, the Division of Occupational
404 Licensure Trust Fund

405 SECTION 126. (a) As used in this section the following words shall, unless the context
406 clearly requires otherwise, have the following meanings:

407 “Department”, the department of public health.

408 “Division”, the division of occupational licensure.

409 “Transferring Boards”, the board of registration of social workers, the board of
410 registration of psychologists, the board of registration of allied mental health and human services
411 professions, the board of allied health professions, the board of registration of dieticians and
412 nutritionists, the board of registration in podiatry, the board of registration in optometry, the
413 board of registration of dispensing opticians, the board of registration of chiropractors, the board
414 of registration of speech-language pathology and audiology, and the board of registration of
415 hearing instrument specialists, the board of certification of health officers, and the board of
416 registration of sanitarians.

417 (b) Notwithstanding any general or special law to the contrary, the division and the
418 department shall develop and implement a transfer agreement providing for the orderly transfer
419 of personnel, proceeds, rules and regulations, property and legal obligations and functions of the
420 transferring boards from the division to the department.

421 (c) All petitions, requests, investigations, filings and other proceedings appropriately and
422 duly brought before, or pending before, the transferring boards or the division regarding the
423 transferring boards, before the transfer, shall continue unabated and remain in force, and shall be
424 assumed and completed by the transferring boards and department after the transfer to the
425 department.

426 (d) All orders, advisories, findings, rules and regulations duly made and all approvals
427 duly granted by the transferring boards or division regarding the transferring boards, which are in
428 force immediately before the transfer, shall continue in force and shall thereafter be enforced,

429 until superseded, revised, rescinded or canceled, in accordance with law, by the transferring
430 boards after the transfer to the department.

431 (e) All books, papers, records, documents, equipment, cash and other property, both
432 personal and real, including all such property held in trust, which immediately before the transfer
433 are in the custody of the division regarding the transferring boards, shall be transferred to the
434 department.

435 (f) All duly existing contracts, leases and obligations of the transferring boards, shall
436 continue in effect after transfer to the department. No such existing right or remedy of any
437 character shall be lost, impaired or affected by this act.

438 (g) In consultation with the secretary of administration and finance, the department and
439 the division, in developing the transfer agreement required under subsection (b), shall identify
440 the portion of unexpended balances of the Division of Professional Licensure Trust Fund
441 established in section 35V of chapter 10 that are allocated to the operations of the transferring
442 boards, including but not limited to payment of salaries, wages, fringe and indirect costs, and all
443 compensation for those employees identified in subsection (i); administrative expenses;
444 information technology expenses; and indirect expenses. Notwithstanding any general or special
445 law to the contrary, upon transfer of the transferring boards, the comptroller shall transfer such
446 portion of the unexpended balances of the Division of Professional Licensure Trust Fund
447 established in section 35V of chapter 10 of the General Laws to the Quality in Health Professions
448 Trust Fund established in section 35X of chapter 10 of the General Laws.

449 (h) The comptroller shall take the overall cash flow needs of the commonwealth into
450 consideration in determining the timing of any transfer of funds provided for in subsection (g).

451 The comptroller shall provide a schedule of transfers to the secretary of administration and
452 finance and to the chairs of the house and senate committees on ways and means.

453 (i) The transfer agreement required under subsection (b) shall identify the number of
454 allocated employees of the division, rounded to the nearest full time employee equivalent, who
455 are engaged in the work of the transferring boards, in whole or in part, including but not limited
456 to licensing functions, investigation, prosecution and adjudication. Notwithstanding any general
457 or special law to the contrary, an equivalent number of division employees shall become
458 employees of the department upon the execution of the transfer agreement required under
459 subsection (b) or 18 months after the effective date of this act, whichever occurs first. The
460 employees selected to transfer from the division to the department shall have been engaged in the
461 work of the transferring boards, in whole or in part, prior to the transfer.

462 All officers and employees of the division transferred to the department as required under
463 subsection (i) shall be transferred without impairment of seniority, retirement or other statutory
464 rights of employees, without loss of accrued rights to holidays, sick leave, vacation and other
465 benefits, and without change in union representation or certified collective bargaining unit as
466 certified by the state labor relations commission or in local union representation or affiliation,
467 except as otherwise provided in this act. Terms of service of employees shall not be deemed to
468 be interrupted by virtue of transfer to the department.

469 Nothing in this section shall be construed to confer upon any employee of the division
470 transferred to the department as required under subsection (i) any right not held immediately
471 before the date of said transfer or to prohibit any reduction of salary grade, transfer,

472 reassignment, suspension, discharge, layoff or abolition of position not prohibited before such
473 date.

474 (j) Notwithstanding any general or special law to the contrary, the terms and conditions
475 of any collective bargaining agreement that is in effect upon the transfer with respect to
476 employees of the division transferred to the department as required under subsection (i) shall
477 continue in effect until the stated expiration date of such agreement, at which point the
478 agreement shall expire; provided, however, that all such employees shall continue to retain their
479 right to collectively bargain under chapter 150E of the General Laws and shall be considered
480 employees of the department.

481 SECTION 127. Sections 7, 9, 13 to 18, 47, 49, 61 to 62, 64, 119, and 126 shall take effect
482 upon the execution of a transfer agreement between the division of occupational licensure and
483 department of public health or 18 months after the effective date of this act, whichever occurs
484 first.

485 SECTION 128. Sections 1 to 6, 8, 10 to 12, 19 to 46, 48, 50 to 60, 63, 65 to 118, and 120
486 to 125 of this act shall take effect as soon as it has the force of law under subsection (c) of
487 section 2 of Article LXXXVII of the Amendments to the Constitution.