

**HOUSE . . . . . No. 3842**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Alyson M. Sullivan*

*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 establishing statewide standards for sexual assault and domestic violence service providers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>	<i>2/4/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/23/2021</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>2/23/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/26/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>

**HOUSE . . . . . No. 3842**

By Ms. Sullivan of Abington, a petition (accompanied by bill, House, No. 3842) of Alyson M. Sullivan and others for an investigation by a special commission (including members of the General Court) relative to statewide standards for sexual assault and domestic violence service providers. The Judiciary.

**The Commonwealth of Massachusetts**

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

An Act establishing statewide standards for sexual assault and domestic violence service providers.

*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 3 of the General Laws is hereby amended by adding the following  
2 section:-

3 Section 76. (a) There shall be a permanent commission on sexual assault and domestic  
4 violence service providers, which shall consist of 19 members as follows: 1 of whom shall be the  
5 secretary of health and human services or their designee, who shall serve as chair; 1 of whom  
6 shall be the director of the department of public health division of sexual and domestic violence  
7 prevention and services; 2 of whom shall be members of the house of representatives, to be  
8 appointed by the speaker of the house; 1 of whom shall be a member of the house of  
9 representatives, to be appointed by the minority leader; 2 of whom shall be members of the  
10 senate, to be appointed by the president of the senate; 1 of whom shall be a member of the  
11 senate, to be appointed by the minority leader; 1 of whom shall be the executive director of the

12 governor's council to address sexual assault and domestic violence; 1 of whom shall be the  
13 attorney general or their designee; 1 of whom shall be the executive director of the  
14 Massachusetts office for victim assistance; 1 of whom shall be the executive director of Jane Doe  
15 Inc.: the Massachusetts Coalition Against Sexual Assault and Domestic Violence; 1 of whom  
16 shall be the executive director of the Victim Rights Law Center, Inc.; 1 of whom shall be the  
17 executive director of the New Bedford Women's Center, Inc.; 1 of whom shall be the executive  
18 director of the Boston Area Rape Crisis Center, Inc.; 1 of whom shall be the executive director of  
19 Pathways for Change, Inc.; 1 of whom shall be an advocate specialized in working with  
20 survivors with disabilities, to be appointed by the governor; 1 of whom shall be an advocate  
21 specialized in working with children who experienced trauma, to be appointed by the governor; 3  
22 of whom shall be survivors of sexual assault or domestic violence, to be appointed by the  
23 governor. Members of the commission shall be citizens of the commonwealth who have  
24 demonstrated commitment to supporting survivors of sexual assault and domestic violence.

25 Biennially, every legislative session, the general court shall review the membership of the  
26 commission to ensure its makeup is tailored to its purpose and improved when necessary.

27 (b) Appointed members shall serve terms of 2 years and until their successors are  
28 appointed, or the member is reappointed by their appointing or nominating authority. Vacancies  
29 in the membership of the commission shall be filled by the original appointing authority for the  
30 balance of the unexpired term.

31 (c) The members of the commission shall receive no compensation for their services, but  
32 shall be reimbursed by the general court for any usual and customary expenses incurred in the  
33 performance of their duties.

34 (d) The commission shall be a resource to the commonwealth on issues affecting  
35 survivors of sexual assault and domestic violence. It shall be a primary responsibility of the  
36 commission to study the practices and service standards currently in place for sexual assault and  
37 domestic violence service providers, including any organization, board or program that provides  
38 specialized programs, support, residential programs or intervention services for victims of sexual  
39 assault or domestic violence. The commission shall meet to put forth recommendations for  
40 uniform minimum service standards for sexual assault and domestic violence programs  
41 throughout the commonwealth. The commission shall perform an ongoing review of its  
42 recommendations and their results to ensure its recommendations are narrowly tailored and  
43 improved when necessary.

44 (e) The powers of the commission shall include, but not be limited to, the following: (1)  
45 to use such voluntary and uncompensated services of private individuals, agencies and  
46 organizations as may from time to time be offered and required, including provision of meeting  
47 places and refreshments; (2) to hold regular, public meetings and to hold fact-finding hearings  
48 and other public events as the commission deems necessary; (3) to establish and maintain such  
49 offices as the commission deems necessary, subject to appropriation; (4) to acquire and direct a  
50 staff to perform its duties, subject to appropriation; (5) to enact by-laws for its own governance  
51 but not inconsistent with any general or special law; and (6) to recommend policies and make  
52 recommendations to agencies and officers of the commonwealth and local subdivisions of  
53 government to effectuate the purposes of this commission.

54 (f) (1) The commission may request information and assistance from state agencies as the  
55 commission requires.

56 (2) The commission may accept and solicit funds, including any gifts, donations, grants  
57 or bequests or any federal funds, for any of the purposes of this section. These funds shall be  
58 deposited in a separate account with the state treasurer, be received by the treasurer on behalf of  
59 the commonwealth, and be expended by the commission in accordance with law.

60 (g) (1) The commission shall report their recommendations relative to uniform minimum  
61 service standards for sexual assault and domestic violence service programs to the executive  
62 office of health and human services no later than 180 days following the passage of this act.

63 (2) Biennially, not later than June 30, the commission shall reassess and report on the  
64 uniform service standards for sexual assault on domestic violence service programs and any  
65 policy recommendations to the governor, secretary of health and human services and the clerks  
66 of the house of representatives and the senate.

67 SECTION 2. Chapter 6A is hereby amended by inserting after section 18Z the following  
68 section:-

69 Section 18AA. (a) As used in this section, the following words shall, unless the context  
70 clearly requires otherwise, have the following meanings:-

71

72 “Commission”, the permanent commission on sexual assault and domestic violence  
73 service providers established pursuant to section 76 of chapter 3.

74 “Sexual assault and domestic violence service provider”, any organization, board or  
75 program that provides specialized programs, support, residential programs or interventions for  
76 victims of domestic violence or sexual assault.

77

78           (b) The executive office of health and human services, in collaboration with the  
79 commission, shall promulgate uniform minimum service standards for sexual assault and  
80 domestic violence providers, which shall include, but not limited to: (i) initial and annual training  
81 requirements; (ii) minimum policies and procedures; and (iii) continuous quality improvements.

82           (2) To be eligible to receive state funds, a sexual assault and domestic violence service  
83 provider shall adhere to the uniform minimum service standards; provided, however, that sexual  
84 assault and domestic violence service providers completing a program improvement plan or  
85 corrective action plan pursuant to paragraph 2 of subsection (c) shall be eligible to receive state  
86 funds.

87           (c)(1) The executive office of health and human services shall annually file a report with  
88 the commission. The report shall include, but not be limited to: (i) a list of sexual assault and  
89 domestic violence service providers in compliance with the uniform service standards; and (ii) a  
90 list of sexual assault and domestic violence service providers that have violated the uniform  
91 service standards and what violation has occurred.

92           (2) Sexual assault and domestic violence service providers shall complete a program  
93 improvement plan, developed by the commission, after the first violation of the uniform  
94 standards. Sexual assault and domestic violence service providers shall complete a corrective  
95 action plan, developed by the commission, after a second or subsequent violation of the uniform  
96 service standards.

97 (3) The commission shall annually file a report with the executive office of health and  
98 human services regarding sexual assault and domestic violence service providers compliance  
99 with the uniform service standards. The report shall include:

100 (i) the number of sexual assault and domestic violence service providers in compliance  
101 with the uniform service standards;

102 (ii) the number of sexual assault and domestic violence service providers under a  
103 program improvement plan; and

104 (iii) the number of sexual assault and domestic violence service providers enrolled in a  
105 corrective action plan.

106 The executive office of health and human services shall publish the report on its website  
107 within 30 days of receipt.

108 (d) A sexual assault and domestic violence service provider shall not qualify for state  
109 funds if it discriminates in its admissions or provision of services on the basis of race, religion,  
110 color, age, disability, marital status, gender identity, sexual orientation, national origin or  
111 ancestry.