

HOUSE No. 4625

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 13, 2024.

The committee on Children, Families and Persons with Disabilities, to whom were referred the petition (accompanied by bill, Senate, No. 103) of Joan B. Lovely, Sal N. DiDomenico, Angelo J. Puppolo, Jr., Michael O. Moore and other members of the General Court for legislation relative to persons with developmental disabilities, the petition (accompanied by bill, Senate, No. 122) of Susan L. Moran, Joanne M. Comerford, Michael O. Moore and Mathew J. Muratore for legislation to support children with neonatal abstinence syndrome and the petition (accompanied by bill, House, No. 207) of James J. O'Day and others relative to persons with developmental disabilities, reports recommending that the accompanying bill (House, No. 4625) ought to pass.

For the committee,

JAY D. LIVINGSTONE.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to persons with developmental disabilities.

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. Section 74 of Chapter 3 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by inserting the following section:-

3 SECTION 2. (a) There shall be a special commission entitled the special commission on
4 services for persons over age 21 with a developmental disability to study and make
5 recommendations concerning the availability of agency services for persons with developmental
6 disabilities over the age of 21 in the commonwealth.

7 (b) The commission shall: (1) examine the commonwealth’s current definition of “person
8 with a developmental disability” and compare it with the federal definition; (2) engage and listen
9 to the experiences and service needs of individuals over 21 with diagnoses that do not currently
10 fall under the definition of “person with a developmental disability” in the commonwealth; (3)
11 evaluate the availability of services for these populations in the commonwealth, (4) foster inter-
12 agency collaboration on delivery of services, and (5) make recommendations for meeting the
13 service needs of this population.

14 (c) The commission shall consist of the following: the co-chairs of the joint committee on
15 children, families and persons with disabilities or designees, who shall serve as co-chairs; the co-
16 chairs of the joint committee on mental health, substance use and recovery or designees; the
17 commissioner of the department of developmental services or a designee; the commissioner of
18 the department of mental health or a designee; commissioner of the department of transitional
19 assistance or a designee; secretary of health and human services or a designee; director of
20 masshealth or a designee; 4 persons to be appointed by the commission co-chairs, who shall be
21 representatives of community-based organizations representing populations impacted by
22 diagnoses not currently included in the commonwealth’s definition of developmental disability,
23 including but not limited to fetal alcohol spectrum disorder, cerebral palsy, epilepsy, spina bifida,
24 familial dysautonomia, potocki-lupski syndrome, and williams-syndrome, and at least 1 of whom
25 shall have lived experience with one or more of these diagnoses.

26 (d) The commission shall: (1) solicit information and input from service providers,
27 families, educational institutions, and any other parties or entities the commission deems
28 appropriate; review the definition of “person with a developmental disability” in other states,
29 including coverage for conditions “closely related” to intellectual disability and/or
30 developmental disability; (2) identify the service needs of the populations with diagnoses that do
31 not currently fall under the definition of “person with a developmental disability” in the
32 commonwealth; (3) identify the availability and capacity of agencies in the commonwealth to
33 provide services to these populations, including identifying the gaps in services; (4) study and
34 make recommendations for inter-agency resources and services in order to best maximize
35 existing state resources available to meet the service needs of populations with diagnoses that do
36 not currently fall under the definition of “person with a developmental disability” in the

37 commonwealth; (5) provide budget estimates for provision of services to these populations; (6)
38 develop recommendations to measure and evaluate whether service needs are being met for
39 populations with diagnoses that do not currently fall under the definition of “person with a
40 developmental disability” in the commonwealth; and (7) other recommendations as the
41 commission may deem appropriate.

42 (e) Members of the commission shall be named and the commission shall commence its
43 work within 60 days of the effective date of this act. The commission shall file a report of its
44 findings and recommendations, including, but not limited to, any draft legislation, budget
45 estimates, regulations or administrative procedure necessary to meet the service needs of
46 populations with diagnoses that do not currently fall under the definition of “person with a
47 developmental disability” in the commonwealth to the state secretary, the clerks of the senate
48 and house of representatives, the joint committee on children, families and persons with
49 disabilities and the executive office of health and human services, not more than 1 year after the
50 effective date of this act.