

**HOUSE . . . . . No. 5045**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Hannah Kane and Denise C. Garlick***

*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 accelerating improvements to the local and regional public health system to address disparities in the delivery of public health services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>

<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>Linda Dean Campbell</i>	<i>15th Essex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>

<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>

**HOUSE . . . . . No. 5045**

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By Representatives Kane of Shrewsbury and Garlick of Needham, a petition (subject to Joint Rule 12) of Hannah Kane, Denise C. Garlick and others relative to improvements to the local and regional public health systems to address disparities in the delivery of public health services. Public Health.

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**The Commonwealth of Massachusetts**

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

An Act relative to accelerating improvements to the local and regional public health system to address disparities in the delivery of public health services.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to protect forthwith the health and wellness of the residents of the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

*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 111 of the General Laws is hereby amended by inserting after  
2 section 27D, added by section 1 of chapter 72 of the acts of 2020, the following section:-

3 Section 27E. (a) For the purposes of this section, the term “board of health” shall include  
4 any body politic or political subdivision of the commonwealth that acts as a board of health,  
5 public health commission or a health department for a municipality; provided however, that  
6 “board of health” shall include, but not be limited to, municipal boards of health, regional health  
7 districts established under section 27B and boards of health that share services pursuant to  
8 section 4A of chapter 40.

9 (b) The department, in consultation with municipalities and other stakeholders, including,  
10 but not limited to, members of the Special Commission on Local and Regional and Public  
11 Health, shall establish a uniform set of minimum local public health performance standards to  
12 ensure that every resident of the commonwealth has access to a core set of public health  
13 protections including, but not limited to, communicable disease control, public health nursing  
14 services, food and water protection, chronic disease and injury prevention, environmental public  
15 health, maternal, child and family health and access to and linkage with clinical care. The  
16 standards shall take into account national public health standards.

17 (c) The local public health performance standards shall include: (1) workforce education,  
18 training, and credentialing standards; (2) standards for contributing data to a unified standard  
19 public health reporting system; and (3) minimum performance standards for inspections,  
20 communicable disease investigation and reporting, permitting and other local public health  
21 responsibilities as required under laws and regulations.

22 (d) Boards of health shall meet these standards individually or through cross-  
23 jurisdictional sharing of public health services in the form of comprehensive public health  
24 districts, formal shared services, and other arrangements for sharing public health services.  
25 Boards of health shall demonstrate compliance with the standards in an annual report to the  
26 department. Data demonstrating compliance shall be submitted in a form prescribed by the  
27 department. The report shall not require data that is otherwise reported to the department under  
28 subsection (e).

29 (e) The department of public health and the department of environmental protection shall  
30 create a unified standard public health reporting system. The data collected and reported shall

31 include measures of standard responsibilities of boards of health, including inspections, code  
32 enforcement, communicable disease management, and local regulations. The data and an  
33 analysis of the data shall be available on the department of public health's website in a form that  
34 allows the public to conduct further data analysis.

35 (f) The department shall issue a report every 2 years on the status of the local public  
36 health system and its ability to meet the standards under this section. The report shall be  
37 submitted to the house and senate committees on ways and means and joint committee on public  
38 health. The report shall be posted on the department's website.

39 (g) (1) Subject to appropriation or availability of other funding, to supplement local  
40 funding, dedicated state funding shall be provided to local boards of health which meet the  
41 standards established in this section, using a formula based on population, relative equalized  
42 valuations, level of cross-jurisdictional sharing and sociodemographic data. The department shall  
43 determine for each fiscal year the amount of funds sufficient to meet the requirements of this  
44 clause.

45 (2) Subject to appropriation or availability of other funding, the department shall make  
46 funds available to support boards of health to meet the standards established in this section. To  
47 receive such funds, boards of health shall demonstrate that they meet benchmarks established by  
48 the department and demonstrate progress toward meeting the standards established in this  
49 section.

50 (3) Subject to appropriation or availability of other funding, the department of public  
51 health and the department of environmental protection shall offer sufficient training and  
52 technical assistance for local public health staff to support them in obtaining credentials and

53 capabilities required under the standards. The department of public health may enter into  
54 subcontracts with regional planning agencies, statewide organizations, or other entities to  
55 provide training and technical assistance. The department of public health shall determine for  
56 each fiscal year the amount of funds sufficient to meet the requirements of this clause.

57 (h) The department shall establish a statewide sustainable local public health budget,  
58 determined as the sum of the required local supplemental funding under clauses (1) to (3),  
59 inclusive, of subsection (g) for every town and city in the commonwealth. The department shall  
60 report the estimated statewide sustainable local public health budget to the secretary of  
61 administration and finance for the upcoming fiscal year on the day assigned for submission of  
62 the budget by the governor to the general court pursuant to section 7H of chapter 29 and shall  
63 publish it on the website of the department.

64 (i) The standards required by this section shall not be enforceable if sufficient funds, as  
65 determined by the department under clause (1) of subsection (g), are not made available to local  
66 boards of health and the department. If sufficient funds under clause (1) of subsection (g) are not  
67 made available to boards of health, funds made available under clauses)(2) and (3) of subsection  
68 (g) shall be expended for the purposes of those clauses.

69 (j) Subject to appropriation or availability of other funding, the department of public  
70 health shall provide a comprehensive online permitting and inspection system available to all  
71 boards of health.

72 SECTION 2. The initial standards under subsections (b) and (c) of section 27E of chapter  
73 111 of the General Laws shall be consistent with the recommendations of the report of the  
74 Special Commission on Local and Regional and Public Health approved in June 2019. The

75 standards shall become effective no later than 60 days following the passage of this act. The  
76 standards may be amended by regulation no less than 1 year following approval of the initial  
77 standards.

78 SECTION 3. Funds provided under clause (2) of subsection (g) of section 27E of the  
79 General Laws shall be made available no longer than 3 years after the enactment of this act.