

HOUSE No. 00067

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

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 passage of the accompanying bill:

An Act relative to sufficient services within the department of mental retardation..

PETITION OF:

NAME:

Peter J. Koutoujian

DISTRICT/ADDRESS:

10th Middlesex

HOUSE No. 00067

By Mr. Koutoujian of Waltham, petition (accompanied by [legType], House, No. 00067) of Peter J. Koutoujian relative to waiting lists for services of the Department of Mental Retardation
. Joint Committee on Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
 HOUSE
 , NO. 150 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to sufficient services within the department of mental retardation..

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 14 of Chapter 19B, as appearing in the 2004 Official Edition, is hereby
2 amended by inserting the following subsections:--

3 (a)???? The Department of Mental Retardation (Department of Developmental Services as of
4 July 1, 2009) shall develop a three-year plan to address all individuals waiting for community-
5 based services including residential, day, transportation and family support.? The goal of said
6 plan shall be to fund services for all eligible individuals and families in need by 2013.

7 (b)???? The department shall: (1) require each area office to provide an updated list of names in
8 priority order with corresponding cost plan with additional dollars required, (2) identify service

9 type needed for each eligible participant, and (3) identify a number of people to serve per year in
10 order to achieve the goal of said legislation by 2013. Said plan shall include emergency
11 allocations for those individuals not currently on the department's current list but go into crisis,
12 and said emergency allocation shall be based on historical data. Said plan shall include annual
13 allocations for family support funding for those not immediately served on the residential
14 waiting lists.

15 (c)???? In year one and thereafter, until no one is waiting for residential services, 300 people on
16 said waiting list for residential services shall receive \$20,000 in vouchers or allocations in
17 additional dollars on an annual basis to provide support while said individuals are waiting for
18 services.? The department shall utilize said waiting list for services to determine distribution.?
19 Individuals or families may utilize the funds for private-public partnerships and may choose to
20 remove themselves from the residential waiting list.

21 (d)???? To minimize crisis driven services, the department shall include allocations or vouchers
22 on an annual basis for families who are in need of family support.? These allocations shall range
23 from \$3,000 to \$10,000 per year based on the range of services required.

24 (e)???? To encourage public private partnership in the employment of individuals with
25 disabilities, incentives shall be established for employers: (1) a tax credit equal to 20% of any
26 hired individuals' wages for the first two years of employment shall be granted, and (2) Six-
27 month subsidies to assist in job-coaching shall be distributed on a case-by-case basis not to
28 exceed \$12,000, these monies shall be allocated from a subsidy line item funded by a one-time
29 two million dollar allocation.

30 (f)???? To maximize community-based services and supports, the department shall update the
31 Facilities Consolidation plan to redirect resources as more individuals leave institutional care and
32 enter community-based homes.? The plan shall include a projected schedule of facility closures.?
33 Any savings from said plan once the needs of individuals moving from facilities have been
34 addressed may be used to offset additional monies required in this law.

35 (g)????To ensure quality, 20% of savings from the closures of state institutions will be allocated
36 to support existing DMR services and supports funded through the purchase of the service
37 system.

38 (h) To gain additional revenue, the department shall develop a plan which maximizes Medicaid
39 funding received through the Home and Community Based Waiver and other proposed Waivers.
40 This plan shall include retained revenue as one option to address the waiting list.