

**HOUSE . . . . . No. 00975**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jennifer E. Benson*

*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 providing for the public disclosure of quality indicators for the developmentally disabled.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Susan C. Fargo</i>	<i>Third Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>

# HOUSE . . . . . No. 00975

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By Ms. Jennifer E. Benson of Lunenburg, petition (accompanied by bill, House, No. 00975) of Jennifer E. Benson and others relative to providing for the public disclosure of quality indicators for the developmentally disabled. Joint Committee on Children, Families and Persons with Disabilities.

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## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act providing for the public disclosure of quality indicators for the developmentally disabled.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Be it enacted by the Senate and House of Representatives in General Court assembled, and by  
2 the authority of the same, as follows:

3 SECTION 1. M.G.L. c.19B, section 2 is hereby amended by inserting a new paragraph five:

4 "At the end of each fiscal year, the commissioner shall make a document which shall also be  
5 published on the commonwealth official website in a format which is retrievable and printable  
6 which contains the information obtained pursuant to paragraph six of section thirteen of this  
7 chapter."

8 SECTION 2. M. G. L. c. 19B, section 13, is hereby amended by adding new paragraphs six and  
9 seven:

10 "Notwithstanding any provision of law to the contrary, on or before March 31 of each calendar  
11 year, all private agencies, group care facilities as defined in section 9 of chapter 28A and group  
12 residences as defined in section 1 of chapter 143, as a condition of their contracts for services,  
13 shall provide in a format determined by the department their identifying information, including  
14 official name, provider state identification number, name of contact person, business address and  
15 telephone; financial information including the total annual operating budget which shall set forth  
16 annual expenditures for personnel, administrative , and equipment expenses; personnel  
17 compensation information which shall include the average annual wages or salary of direct care  
18 and professional staff and the average percentage increase over the previous year's average, the  
19 names , annual wages or salaries, and percentage increase over the previous year's annual wages  
20 or salaries of the five highest paid employees; health care information which shall include the  
21 percentage of direct care, professional and managerial personnel who receive health care  
22 insurance through the employer and the numbers of employees on industrial accident leave  
23 during the preceding calendar year; service quality information which shall include the turnover  
24 rate, which shall be defined as the percentage of positions in the agency which were vacated  
25 during the preceding calendar year, the number of abuse and neglect claims substantiated by the  
26 private agency, the department or the disabled persons protection commission during the  
27 preceding calendar year, the numbers and types of medication errors, number of incident the  
28 reports filed by the private agency with the department, copies of reports by all accrediting and  
29 licensing agencies; any other information and/or reports concerning family and community  
30 supports; all information gathered through Quality Enhancement Survey Tool (QUEST) and  
31 Individual Support Services Tool (ISST) reporting; programmatic information which shall  
32 include the names of the members of the board of directors and the percentage who have family

33 members with developmental disabilities, the number of agency consumers who, during the  
34 preceding calendar year, have moved from an agency residence to a private residence and the  
35 agency's plans, if any, with respect to self directed services, and information pertaining to the  
36 private agency's provision of sheltered workshop services, including the total percentage of  
37 agency expenditures devoted to supporting sheltered workshop services, the number of  
38 consumers in sheltered workshops , the number of consumers who receive less than the federal  
39 minimum wage, number of consumers who moved during the preceding calendar year from the  
40 sheltered workshops to supported employment, the total revenues from goods and services  
41 produced in the sheltered workshop, and the names and addresses all businesses contracting of  
42 with the private agency for goods and services produced in the sheltered workshop. In the event  
43 the department determines that a private agency has failed to furnish the information required by  
44 this section, it may withhold payments due to the agency pending receipt of the required  
45 information, impose a penalty and/or make the agency's non-compliance a consideration in  
46 future contract awards."

47 SECTION 3. This act shall cover privately and publicly operated programs for the  
48 developmentally disabled.

49 SECTION 4. This act shall take effect immediately upon passage.