

**SENATE . . . . . No. 137**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael O. Moore***

*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 to protect individuals with disabilities in MassHealth day habilitation programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/1/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>3/1/2021</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>3/15/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>3/22/2021</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>3/22/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>4/6/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>4/6/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>4/6/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>4/13/2021</i>

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By Mr. Moore, a petition (accompanied by bill, Senate, No. 137) of Michael O. Moore, Lindsay N. Sabadosa, Jessica Ann Giannino, Anne M. Gobi and other members of the General Court for legislation to protect individuals with disabilities in MassHealth day habilitation programs. Children, Families and Persons with Disabilities.

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**The Commonwealth of Massachusetts**

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

An Act to protect individuals with disabilities in MassHealth day habilitation programs.

*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 2 of chapter 19 of the acts of 2020 is hereby amended by striking the definition  
2 for “employer” and inserting in place thereof the following definition:-

3           “‘employer’, an entity that provides services or treatment to persons with intellectual or  
4 developmental disabilities pursuant to (i) a contract or agreement with the department; (ii)  
5 funding administered by the department; (iii) a license issued pursuant to section 15 or 15A of  
6 chapter 19B; or (iv) a contract with MassHealth to provide day habilitation services subject to  
7 130 CMR 419.000.