

# The Arc's Legislative Platform for the 193<sup>rd</sup> Session, 2023-2024

## Workforce Priorities

### **Department of Developmental Disabilities (DDS) and MassHealth Workforce Rate Increase**

[An Act relative to rates for workers providing supports and services for individuals with disabilities](#)

**HD.3286**

**SD.2086**

Representative Sean Garballey and Simon Cataldo

Senator Barry Finegold

This bill addresses the severe workforce shortage for direct support staff, program managers, and clinicians such as nurses. It requires a minimum salary benchmark of the 75th percentile based on our state's bureau of labor statistics, which should put DSP benchmark pay in the \$20 per hour range. The bill includes all DDS services covered by the Chapter 257 rate process, and the Day Habilitation program which is covered by the MassHealth rate process.

### **Community College for Direct Support Professionals**

[An Act establishing a fund to further educational opportunities for caregivers to adults with disabilities](#)

**HD.3173**

**SD.2348**

Representative Dave Rogers

Senator Mike Barrett

This bill creates a pilot to provide free community college to direct support staff with two years of service.

### **An Act Relative to Family Members Serving as Caregivers**

[An Act relative to family members serving as caregivers](#)

**HD.2455**

**SD.1170**

Representative James O'Day

Senator Joan Lovely

This bill allows guardians, caregivers, and others with legal standing to be paid for providing AFC and PCA services.

## Priority Refiles

### **An Act to Expand Nicky's Law to Day Habilitation Programs**

[An Act updating Nicky's Law to protect individuals with disabilities in MassHealth day habilitation programs](#)

**HD.424**

**SD.1905**

Representative Josh Cutler

Senator Mike Moore

This bill will require MassHealth Day Habilitation providers to use the abuse registry. This expands the protections of Nicky's Law to those in MassHealth Day Habilitation

### **Cueing and Supervision for PCA program**

[An Act relative to cueing and supervision in the PCA program](#)

**HD.1926**

**SD.283**

Representative James O'Day

Senator Joan Lovely

This bill will require the allowance of cueing and supervision, in the PCA program, as a covered service for those eligible members who need it.

### **Accessory Housing Units for People with Disabilities**

[An Act relative to accessory dwelling units](#)

**HD.377**

**SD.640**

Representative Christine Barber

Senator Bruce Tarr

This bill will allow the creation of accessory dwelling units for people with disabilities and older adults with an allowance for the owner occupier to be a special needs trust.

### **ABA MassHealth for Adults**

[An Act ensuring equal access to medical treatments essential for people with a developmental disability, intellectual disability, or autism](#)

**HD.376**

**SD.2101**

Representative Christine Barber

Senator John Keenan

This bill will require MassHealth to cover applied behavior analysis services for adults with autism and intellectual and developmental disabilities, where ABA is a medical necessity. Also included language for Assistive Technology coverage.

### **Supported Decision Making (SDM)**

[An Act relative to authorizing supported decision-making agreements for certain adults with disabilities](#)

**HD.2339**

**SD.1172**

Representatives Mike Finn, Sean Garballey

Senator Joan Lovely

This bill allows certain adults, including those with disabilities to maintain their rights, dignity, and independence by choosing trusted supports to provide assistance making decisions about their lives. SDM is an alternative to guardianship where appropriate.

### **Updating the Definition of Developmental Disability**

[An Act relative to persons with developmental disabilities](#)

**HD.2520**

**SD.153**

Representative James O'Day

Senator Joan Lovely

This bill adopts the federal definition of developmental disability in place of the current state definition and will amend the law to include all adults with a developmental disability, e.g. cerebral palsy and fetal alcohol syndrome.

## Priority Training Bills:

### **Hospital Training to Enhance Healthcare for People with Autism and IDD**

[An Act to enhance hospital care for those with autism and intellectual and developmental disabilities](#)

**HD.2229**

**SD.973**

Representative Sean Garballey. Representative Ryan Hamilton

Senator Jason Lewis

This bill will enhance hospital care for people with intellectual and developmental disabilities, including autism through training, standards of care and certification requirements.

### **Operation House Call**

[An Act improving health care for patients with intellectual and developmental disabilities including autism](#)

**HD.1490**

**SD.966**

Representative John Lawn

Senator Jason Lewis

This bill will improve healthcare for patients with intellectual and developmental disabilities including autism through training and certification, modeled after The Arc's Operation House Call.

### **Autism Police Training Expansion**

[An Act relative to police interactions with persons on the autism spectrum](#)

**HD.688**

**SD.1904**

Representative Kay Khan

Senator Mike Moore

An act relative to police training in appropriate interactions with persons on the autism spectrum and other intellectual and developmental disabilities, expanding on the mandated cadet training to include veteran officers and correctional officers through in-service training.

### **Supporting Autistic Drivers through the Blue Envelope Program**

[An Act facilitating better interactions between police officers and persons with autism spectrum disorder](#)

**HD.689**

**SD.267**

Representative Kay Khan and Representative Mindy Domb

Senator Jo Comerford

This bill will facilitate understanding and better communication between law enforcement and autistic drivers. Autistic drivers can voluntarily request a blue envelope, which attaches to the car's visor. The envelope would hold the driver's license, registration, etc., as well as specific instructions for the police officer on the driver's diagnosis, impairments, triggers, and contact information.

## Additional Policy Priorities:

### **Supporting Nicky's Law Implementation and Updating Terminology**

[An Act updating terminology and investigative practices related to the protection of persons with disabilities](#)

**HD.2744**

**SD.1080**

Representative Sean Garballey

Senator John Keenan

This bill will update language and regulations for the DPPC statutes and align regulations with Nicky's Law

### **Katie's Law, Updating Archaic Language**

[An Act relative to individuals with intellectual or developmental disabilities](#)

**HD.3336**

**SD.978**

Representative Mike Finn, Representative Sean Garballey

Senator Patricia Jehlen

This bill would strike out certain archaic and outdated words, phrases and language in our MA chapter law, e.g. mental retardation, handicapped.

### **Banning aversive therapy**

[An Act regarding the use of aversive therapy](#)

**HD.827**

Representative Danielle Gregoire

An act regarding the use of aversive therapy

This bill would ban the use of any procedure on any person with a disability, that causes obvious signs of pain for the purposes of changing behavior, including electric shock.

### **Tommy's Law**

[An Act to increase the safety of individuals with disabilities relying on life-support equipment](#)

**HD.2138**

**SD.657**

Representative Dave Rogers

Senator Patrick O'Connor

This bill will require appropriate discharge plan review with residential facility nursing staff and increase the accountability for medical equipment monitoring.

### **Prohibiting Discrimination Against Parents with Disabilities**

[An Act prohibiting discrimination against adults with disabilities in family and juvenile court proceedings](#)

**HD.2670**

**SD.679**

Representative Kay Khan

Senator Joan Lovely

This bill will require the courts to determine if a parent's disability causes actual harm to their child by requiring written findings when a parents disability is relied on as a negative factor in custody or parenting time determination.

## **Public access to Historical Records**

[An Act relating to public access to historical records](#)

**HD.3929**

**SD.1389**

Representative Sean Garballey

Senator Mike Barrett

This bill will allow historical records in the custody of the Secretary of State to be open for public inspection after 75 years. This bill will support the work of the Special Commission on the history of state institutions.

## **An Act building a more accessible Massachusetts**

[An Act building a more accessible Massachusetts](#)

**SD.893**

Senator Michael Moore

SD. 893 (& HD.1567) address loopholes that prevent buildings constructed prior to 1991, and all workplaces to be compliant with the Americans with Disabilities Act. It accomplishes this by bringing such buildings under the purview of the Massachusetts Architectural Access Board when newly built or when major renovations take place, ensuing more accessible housing units are available in our state, and expanding employment access.

## **An Act expanding the availability of adaptable housing for people with disabilities and the elderly**

[An Act expanding the availability of adaptable housing for people with disabilities and seniors](#)

**HD.1567**

Representative Christine Barber, Representative Michael Moran

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**Note:** When bills are first filed, they receive House or Senate Docket Numbers. These docket numbers eventually are replaced with bill numbers.