

HOUSE No. 141

The Commonwealth of Massachusetts

PRESENTED BY:

Josh S. Cutler

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 updating Nicky’s Law to protect individuals with disabilities in MassHealth day habilitation programs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>1/10/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/23/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/23/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/25/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2023</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>2/1/2023</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/2/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/2/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>2/2/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>2/3/2023</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/6/2023</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/8/2023</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>	<i>2/15/2023</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>2/16/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/16/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/16/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>2/16/2023</i>

<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/16/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/16/2023</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/16/2023</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/18/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/21/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/22/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/22/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>2/22/2023</i>
<i>Simon Cataldo</i>	<i>14th Middlesex</i>	<i>2/23/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/23/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/23/2023</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	<i>2/24/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/24/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/27/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>3/2/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/2/2023</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>3/6/2023</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>	<i>3/9/2023</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>3/10/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>3/10/2023</i>

HOUSE No. 141

By Representative Cutler of Pembroke, a petition (accompanied by bill, House, No. 141) of Josh S. Cutler and others for legislation to protect individuals with disabilities in MassHealth day habilitation programs. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act updating Nicky’s Law 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 1. Section 15 of Chapter 19C of the General Laws, as appearing in the 2020 is
2 hereby amended by striking the definition for “employer” and inserting in place thereof the
3 following definition:-

4 “Employer”, an entity that provides services or treatment to persons with intellectual or
5 developmental disabilities pursuant to (i) a contract or agreement with the department; (ii)
6 funding administered by the department; (iii) a license issued pursuant to section 15 or 15A of
7 chapter 19B; or (iv) a contract with MassHealth to provide day habilitation services subject to
8 130 CMR 419.000.