

HOUSE No. 1958

The Commonwealth of Massachusetts

PRESENTED BY:

Sean Garballey

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 the terminology and investigative practices related to the protection of persons with disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Thomas P. Walsh</i>	<i>12th Essex</i>
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>

<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Adrian Madaro</i>	<i>1st Suffolk</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Jose F. Tosado</i>	<i>9th Hampden</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>

<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>
<i>William Driscoll</i>	<i>7th Norfolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Gerard Cassidy</i>	<i>9th Plymouth</i>
<i>Natalie Higgins</i>	<i>4th Worcester</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Nick Collins</i>	<i>4th Suffolk</i>

HOUSE No. 1958

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 1958) of Sean Garballey and others for legislation to change the name of the Disabled Persons Protection Commission to the commission for the protection of persons with disabilities and updating the terminology and investigative practices related to the protection of persons with disabilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act updating the terminology and investigative practices related to the protection of persons with disabilities.

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 19 of chapter 19B of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out, in lines 126, 139, 280 and 281, 305, 384, 390
3 and 391, and in lines 394 and 395, the words “disabled persons protection commission” and
4 inserting in place thereof, in each instance, the following words:- commission for the protection
5 of persons with disabilities.

6 SECTION 2. Chapter 19C of the General Laws, as appearing in the 2014 Official
7 Edition, is hereby amended by striking out the title and inserting in place thereof the following
8 title:- COMMISSION FOR THE PROTECTION OF PERSONS WITH DISABILITIES.

9 SECTION 3. Section 1 of said chapter 19C, as so appearing, is hereby amended by
10 striking out the definition of “Abuse” and inserting in place thereof the following definition:-

11 “Abuse”, an act or omission of a caretaker which results in serious physical or serious
12 emotional injury or abuse per se to a person with a disability; provided, however, that no person
13 shall be considered to be abused for the sole reason that such person is being furnished or relies
14 upon treatment in accordance with the tenets and teachings of a church or religious denomination
15 by a duly accredited practitioner thereof.

16 SECTION 4. Said section 1 of said chapter 19C, as so appearing, is hereby further
17 amended by striking out the definition of “Caretaker” and inserting in place thereof the following
18 definition:-

19 “Caretaker”, a person with a disability’s parent, guardian, or other person or agency
20 responsible for the person with a disability’s health or welfare, whether in the same home as the
21 person with a disability, a relative’s home, a foster home or any other location where the
22 caretaker renders assistance.

23 SECTION 5. Said section 1 of said chapter 19C, as so appearing, is hereby further
24 amended by striking out, in line 13, the words “disabled persons protection commission” and
25 inserting in place thereof the following words:- commission for the protection of persons with
26 disabilities.

27 SECTION 6. Said section 1 of said chapter 19C, as so appearing, is hereby further
28 amended by striking out the definitions of “Disabled person”, “General counsel” and “Mandated
29 reporter” and inserting in place thereof the following 2 definitions:-

30 “Mandated reporter”, any physician, medical intern, hospital personnel engaged in the
31 examination, care or treatment of persons, medical examiner, dentist, psychologist, nurse,
32 chiropractor, podiatrist, osteopath, public or private school teacher, educational administrator,

33 guidance or family counselor, day care worker, probation officer, social worker, foster parent,
34 police officer, firefighter, paramedic, emergency medical technician, person employed by a state
35 agency as defined by this chapter, person employed by a private agency providing services to a
36 person with a disability, or person employed to provide assistance with activities of daily living
37 to a person with a disability, who in his or her professional capacity shall have reasonable cause
38 to believe that a person with a disability is suffering from a reportable condition.

39 “Person with a disability”, a person between the ages of eighteen to fifty-nine, inclusive,
40 who is a person with an intellectual or developmental disability as defined by section 1 of
41 chapter 123B or who is otherwise mentally or physically disabled and as a result of that mental
42 or physical disability is wholly or partially dependent on others to meet that person’s daily living
43 needs; provided however, that the term “person with a disability” shall replace the term “disabled
44 person” without changing the meaning.

45 SECTION 7. Said section 1 of said chapter 19C, as so appearing, is hereby further
46 amended by striking out, in lines 38 and 40, the words “disabled person or persons” and inserting
47 in place thereof, in each instance, the following words:- person with a disability.

48 SECTION 8. Said section 1 of said chapter 19C, as so appearing, is hereby further
49 amended by striking out, in line 41, the words “disabled persons” and inserting in place thereof
50 the following words:- persons with a disability.

51 SECTION 9. Said section 1 of said chapter 19C, as so appearing, is hereby further
52 amended by striking out the definition of “Reportable Condition” and inserting in place thereof
53 the following definition:-

54 “Reportable Condition”, a serious physical or serious emotional injury sustained by a
55 person with a disability and for which there is reasonable cause to believe resulted from abuse, or
56 reasonable cause to believe that abuse per se exists.

57 SECTION 10. Said section 1 of said chapter 19C, as so appearing, is hereby further
58 amended by striking out the definition of “State agency” and inserting in place thereof the
59 following definition:-

60 “State agency”, any agency of the commonwealth that provides services or treatment to
61 persons with a disability including a private entity providing such services or treatment pursuant
62 to a contract, license or agreement with an agency of the commonwealth.

63 SECTION 11. Section 2 of said chapter 19C, as so appearing, is hereby amended by
64 striking out the title and inserting in place thereof, the following title:- Establishment of the
65 commission for the protection of persons with disabilities; membership; terms; compensation;
66 annual report.

67 SECTION 12. Said section 2 of said chapter 19C, as so appearing, is hereby further
68 amended by striking out, in line 2, the first time it appears, the words “disabled persons” and
69 inserting in place thereof the following words:- persons with a disability.

70 SECTION 13. Said section 2 of said chapter 19C, as so appearing, is hereby further
71 amended by striking out, in lines 2 and 3, the words “disabled persons protection commission”
72 and inserting in place thereof the following words:- commission for the protection of persons
73 with disabilities.

74 SECTION 14. Said section 2 of said chapter 19C, as so appearing, is hereby further
75 amended by striking out, in line 5, the words “disabled persons” and inserting in place thereof
76 the following words:- persons with a disability.

77 SECTION 15. Section 3 of said chapter 19C, as so appearing, is hereby amended by
78 striking out, in lines 20 and 21, the words “disabled persons” and inserting in place thereof the
79 following words:- persons with a disability.

80 SECTION 16. Said section 3 of said chapter 19C, as so appearing, is hereby further
81 amended by striking out, in line 22, the word “other”.

82 SECTION 17. Said section 3 of said chapter 19C, as so appearing, is hereby further
83 amended by striking out, in line 27, the words “pursuant to section nine”.

84 SECTION 18. Said section 3 of said chapter 19C, as so appearing, is hereby further
85 amended by striking out, in lines 28 and 29, the words “disabled persons” and inserting in place
86 thereof the following words:- persons with a disability.

87 SECTION 19. Said section 3 of said chapter 19C, as so appearing, is hereby further
88 amended by inserting in line 32, after the words “sixty-six A” the following:- . Except as
89 otherwise provided in this chapter, all records containing personal data which are created,
90 collected, used, maintained or disseminated pursuant to this chapter shall not be public records,
91 and shall be governed by the provisions of chapter sixty-six A, the notice provisions of section
92 sixty-three of chapter thirty and the enforcement provisions of section three B of chapter two
93 hundred and fourteen;

94 SECTION 20. Section 4 of said chapter 19C, as so appearing, is hereby amended by
95 striking out, in line 1, the words “disabled person” and inserting in place thereof the following
96 words:- person with a disability, and subject to the commission’s authority to conduct its own
97 investigation.

98 SECTION 21. Said section 4 of said chapter 19C, as so appearing, is hereby further
99 amended by striking out subsection (b) and inserting in place thereof the following subsection:-

100 (b) Refer immediately any such reports, which allege the occurrence of abuse of a person
101 with a disability whose caretaker is a state agency, to the agency within the executive office of
102 health and human services which has jurisdiction over the disability manifested by the person
103 with a disability. As determined and assigned by the commission, either the commission or that
104 agency, subject to the oversight of the commission, shall investigate such abuse as provided in
105 section 5. In a case where a commission investigation is being conducted, the state agency shall
106 take reasonable steps to avoid unnecessary, unwarranted or counterproductive duplication
107 between an internal investigation or inquiry by the agency and the commission’s investigation,
108 by utilizing the commission’s investigation in lieu of an internal investigation conducted by the
109 agency.

110 SECTION 22. Subsection (c) of said section 4 of said chapter 19C, as so appearing, is
111 hereby further amended by striking out the first paragraph and inserting in place thereof the
112 following paragraph:-

113 (c) Refer immediately any such reports which allege the occurrence of abuse of a person
114 with a disability whose caretaker is not a state agency, to the agency within the executive office
115 of health and human services which the commission determines, based on the person’s disability,

116 would most likely provide, license an entity to provide, or contract with or enter into an
117 agreement to provide services or treatment to the person with a disability. As determined and
118 assigned by the commission, either the commission or the agency, subject to the oversight of the
119 commission, shall investigate such abuse as provided in section 5.

120 SECTION 23. Said section 4 of said chapter 19C, as so appearing, is hereby further
121 amended by inserting, after subsection (c), the following subsection:-

122 (d) Refer immediately, in accordance with subsections (b) and (c), for the provision of
123 protective services, reports which the commission determines present imminent risk of harm to a
124 person with a disability, regardless of whether any serious injury is presently manifested. The
125 commission may oversee the provision of protective services until such time that the commission
126 determines the risk has been addressed.

127 SECTION 24. Said section 4 of said chapter 19C, as so appearing, is hereby further
128 amended by striking out, in line 35, the words “disabled person” and inserting in place thereof
129 the following words:- person with a disability.

130 SECTION 25. Said section 4 of said chapter 19C, as so appearing, is hereby further
131 amended by striking out, in line 39 and 40, 41, and 42, the words “evaluation and investigation”
132 and inserting in place thereof the following words:- evaluation or investigation.

133 SECTION 26. Said section 4 of said chapter 19C, as so appearing, is hereby further
134 amended by striking out, in line 42, the word “commissioners” and inserting in place thereof the
135 following word:- commission.

136 SECTION 27. Said section 4 of said chapter 19C, as so appearing, is hereby further
137 amended by inserting, in line 46, the after the word “initial” the following words:- evaluation or.

138 SECTION 28. Said section 4 of said chapter 19C, as so appearing, is hereby further
139 amended by inserting after the word “of”, in line 56, the third time it appears, the following
140 words:- licensed or.

141 SECTION 29. Said section 4 of said chapter 19C, as so appearing, is hereby further
142 amended by striking out, in line 58, the word “department’s” and inserting in place thereof the
143 following word:- agency’s.

144 SECTION 30. Section 5 of said chapter 19C, as so appearing, is hereby amended by
145 striking out, in line 1, the words “disabled person” and inserting in place thereof the following
146 words:- person with a disability.

147 SECTION 31. Said section 5 of said chapter 19C, as so appearing, is hereby further
148 amended by inserting after the word “designated”, in line 2, the following words:- and assigned.

149 SECTION 32. Said section 5 of said chapter 19C, as so appearing, is hereby further
150 amended by striking out, in lines 2 to 4, inclusive, the words “ , the general counsel, or a
151 department within the executive office of health and human services”.

152 SECTION 33. Said section 5 of said chapter 19C, as so appearing, is hereby further
153 amended by striking out, in lines 7 and 8, the words “counsel or department of mental health or
154 department of public health” and inserting in place thereof the following words:- department of
155 mental health, department of developmental services or the Massachusetts rehabilitation
156 commission.

157 SECTION 34. Said section 5 of said chapter 19C, as so appearing, is hereby further
158 amended by striking out, in line 9, the words “disabled person’s health or safety” and inserting in
159 place thereof the following words:- health or safety of a person with a disability.

160 SECTION 35. Said section 5 of said chapter 19C, as so appearing, is hereby further
161 amended by striking out, in line 12, the words “disabled person’s residence and day program, if
162 any” and inserting in place thereof the following words:- any site relevant to the alleged abuse,
163 which may include, but not be limited to, the residence and day program of the person with a
164 disability.

165 SECTION 36. Said section 5 of said chapter 19C, as so appearing, is hereby further
166 amended by striking out, in line 13, the words “disabled person” and inserting in place thereof
167 the following words:- person with a disability.

168 SECTION 37. Said section 5 of said chapter 19C, as so appearing, is hereby further
169 amended by striking out, in lines 17 to 19, inclusive, the words “to the general counsel and to the
170 department of mental health and the department of public health” and inserting in place thereof
171 the following words:- and to the department of mental health, department of developmental
172 services or the Massachusetts rehabilitation commission, as appropriate.

173 SECTION 38. Said section 5 of said chapter 19C, as so appearing, is hereby further
174 amended by inserting, in line 22, after the word “ten” the following words:- or any agency
175 employing said mandated reporter.

176 SECTION 39. Said section 5 of said chapter 19C, as so appearing, is hereby further
177 amended by inserting , in line 24, after the word “agency” the following words:- it designates.

178 SECTION 40. Said section 5 of said chapter 19C, as so appearing, is hereby further
179 amended by striking out, in line 33, the words “disabled person” and inserting in place thereof
180 the following words:- person with a disability.

181 SECTION 41. Said section 5 of said chapter 19C, as so appearing, is hereby further
182 amended by striking out, in line 43 and 44, the words “facility named in the report, if any,” and
183 inserting in place thereof the following words:- any site relevant to the report.

184 SECTION 42. Said section 5 of said chapter 19C, as so appearing, is hereby further
185 amended by striking out, in line 45, the words “in the same facility”.

186 SECTION 43. Said section 5 of said chapter 19C, as so appearing, is hereby further
187 amended by striking out, in lines 46 and 47, the words “the general counsel, the department of
188 mental health and the department of public health” and inserting in place thereof the following
189 words:- and to the department of mental health, department of developmental services or the
190 Massachusetts rehabilitation commission, as appropriate,.

191 SECTION 44. Said section 5 of said chapter 19C, as so appearing, is hereby further
192 amended by striking out, in line 50, the words “disabled person” and inserting in place thereof
193 the following words:- person with a disability.

194 SECTION 45. Said section 5 of said chapter 19C, as so appearing, is hereby further
195 amended by striking out, in line 52, the words “, the general counsel, the attorney general”.

196 SECTION 46. Said section 5 of said chapter 19C, as so appearing, is hereby further
197 amended by striking out, in line 54, the word “six” and inserting in place thereof the following
198 word:- three.

199 SECTION 47. Said section 5 of said chapter 19C, as so appearing, is hereby further
200 amended by striking out, in lines 56, 58, and 61, the word “misconduct” and inserting in place
201 thereof, in each instance, the following word:- abuse.

202 SECTION 48. Said section 5 of said chapter 19C, as so appearing, is hereby further
203 amended by striking out, in lines 63, 73, 75, 77 and 78, the words “disabled person” and
204 inserting in place thereof, in each instance, the following words:- person with a disability.

205 SECTION 49. Said section 5 of said chapter 19C, as so appearing, is hereby further
206 amended by striking out, in line 77, the word “or” as third appearing.

207 SECTION 50. Said section 5 of said chapter 19C, as so appearing, is hereby further
208 amended by inserting, in line 79, after the word “caretaker” the following words:- ; or (d) another
209 criminal offense has occurred which has caused harm to a person with a disability.

210 SECTION 51. Section 6 of said chapter 19C, as so appearing, is hereby amended by
211 striking out the first paragraph and inserting in place thereof the following paragraph:-

212 The commission, acting through state agencies within the executive office of health and
213 human services designated by the commission for the purpose of providing protective services,
214 as necessary to prevent further abuse in cases investigated pursuant to this chapter and subject to
215 the oversight of the commission, shall:-

216 SECTION 52. Said section 6 of said chapter 19C, as so appearing, is hereby further
217 amended by striking out, in lines 10 and 15, the words “disabled person” and inserting in place
218 thereof, in each instance, the following words:- person with a disability.

219 SECTION 53. Section 7 of said chapter 19C, as so appearing, is hereby amended by
220 striking out, in lines 1 and 2, the words “the general counsel, the department of mental health or
221 the department of public health,” and inserting in place thereof the following words:- the
222 department of mental health, the department of developmental services or the Massachusetts
223 rehabilitation commission.

224 SECTION 54. Said section 7 of said chapter 19C, as so appearing, is hereby further
225 amended by striking out, in line 4, the words “disabled person” and inserting in place thereof the
226 following words:- person with a disability.

227 SECTION 55. Said section 7 of said chapter 19C, as so appearing, is hereby further
228 amended by striking out, in lines 5 and 6, the words “, counsel or department” and inserting in
229 place thereof the following words:- or agency.

230 SECTION 56. Said section 7 of said chapter 19C, as so appearing, is hereby further
231 amended by striking out, in lines 6 and 7, the words “disabled person” and inserting in place
232 thereof the following words:- person with a disability.

233 SECTION 57. Said section 7 of said chapter 19C, as so appearing, is hereby further
234 amended by striking out, in line 9, the words “, counsel or department” and inserting in place
235 thereof the following words:- or agency.

236 SECTION 58. Said section 7 of said chapter 19C, as so appearing, is hereby further
237 amended by striking out, in lines 12, 13, 16, 17 and 18, 20 and 21, 22, and 29, the words
238 “disabled person” and inserting in place thereof, in each instance, the following words:- person
239 with a disability.

240 SECTION 59. Said section 7 of said chapter 19C, as so appearing, is hereby further
241 amended by striking out, in lines 33 and 34, the words “, counsel or department” and inserting in
242 place thereof the following words:- or agency.

243 SECTION 60. Said section 7 of said chapter 19C, as so appearing, is hereby further
244 amended by striking out, in line 35, the words “disabled person” and inserting in place thereof
245 the following words:- person with a disability.

246 SECTION 61. Said section 7 of said chapter 19C, as so appearing, is hereby further
247 amended by striking out, in line 37, the words “, counsel or department” and inserting in place
248 thereof the following words:- or agency.

249 SECTION 62. Said section 7 of said chapter 19C, as so appearing, is hereby further
250 amended by striking out, in lines 39 and 40, 46, 47 and 48, 59 and 61, the words “disabled
251 person” and inserting in place thereof, in each instance, the following words:- person with a
252 disability.

253 SECTION 63. Said section 7 of said chapter 19C, as so appearing, is hereby further
254 amended by striking out, in line 62, the words “, counsel or department” and inserting in place
255 thereof the following words:- or agency.

256 SECTION 64. Said section 7 of said chapter 19C, as so appearing, is hereby further
257 amended by striking out, in lines 65, 67 and 68, the words “disabled person” and inserting in
258 place thereof, in each instance, the following words:- person with a disability.

259 SECTION 65. Section 8 of said chapter 19C, as so appearing, is hereby amended by
260 striking out, in the title, the words “disabled person” and inserting in place thereof the following
261 words:- persons with a disability.

262 SECTION 66. Said section 8 of said chapter 19C, as so appearing, is hereby amended by
263 striking out, in line 2, the words “disabled person” and inserting in place thereof the following
264 words:- person with a disability.

265 SECTION 67. Said section 8 of said chapter 19C, as so appearing, is hereby further
266 amended by striking out, in line 6, the words “disabled persons” and inserting in place thereof
267 the following words:- persons with a disability.

268 SECTION 68. Section 9 of said chapter 19C, as so appearing, is hereby amended by
269 striking out subsection (d), and inserting in place thereof the following subsection:-

270 (d) refer any matters for which there is reason to believe that misconduct has occurred by
271 a contractor with or licensee of a state agency or by such contractor’s or licensee’s agent, to the
272 state agency contracting with or licensing such party for termination of such contract or license
273 or for such other action as may be deemed appropriate by such state agency.

274 SECTION 69. Section 10 of said chapter 19C, as so appearing, is hereby amended by
275 striking out, in lines 4 and 5, the words “and shall report in writing within forty-eight hours after
276 such oral report”.

277 SECTION 70. Said section 10 of said chapter 19C, as so appearing, is hereby further
278 amended by striking out, in line 7, the words “disabled person” and inserting in place thereof the
279 following words:- person with a disability.

280 SECTION 71. Said section 10 of said chapter 19C, as so appearing, is hereby further
281 amended by striking out, in line 10, the word “six” and inserting in place thereof the following
282 word:- three.

283 SECTION 72. Said section 10 of said chapter 19C, as so appearing, is hereby further
284 amended by inserting, in line 12, after the word “file” the following word:- a.

285 SECTION 73. Said section 10 of said chapter 19C, as so appearing, is hereby further
286 amended by striking out, in lines 13, 19, and 29, the words “disabled person” and inserting in
287 place thereof, in each instance, the following words:- person with a disability.

288 SECTION 74. Said section 10 of said chapter 19C, as so appearing, is hereby further
289 amended by striking out, in lines 32 and 33, the words “oral and written reports” and inserting in
290 place thereof, the following words:- a report.

291 SECTION 75. Section 11 of said chapter 19C, as so appearing, is hereby amended by
292 striking out, in line 6, the words “, the general counsel or”.

293 SECTION 76. Said section 11 of said chapter 19C, as so appearing, is hereby further
294 amended by striking out, in line 9, the words “disabled person” and inserting in place thereof the
295 following words:- person with a disability.

296 SECTION 77. Said section 11 of said chapter 19C, as so appearing, is hereby further
297 amended by inserting, in line 33, after the word “writing.” the following words:- The
298 commission may investigate the allegation pursuant to section 5.

299 SECTION 78. Section 12 of said chapter 19C, as so appearing, is hereby amended by
300 striking out, in lines 10 and 11, the words “, in consultation with the secretary of health and
301 human services,”.

302 SECTION 79. Said section 12 of said chapter 19C, as so appearing, is hereby further
303 amended by striking out, in line 11, the word “formal”.

304 SECTION 80. Said section 12 of said chapter 19C, as so appearing, is hereby further
305 amended by striking out, in lines 12 and 13, the words “, in consultation with the secretary of
306 health and human services,”.

307 SECTION 81. Said section 12 of said chapter 19C, as so appearing, is hereby further
308 amended by striking out, in line 13, the words “a formal” and inserting in place thereof the
309 word:- an.

310 SECTION 82. Section 13 of said chapter 19C, as so appearing, is hereby amended by
311 striking out, in the title, the words “disabled person” and inserting in place thereof the following
312 words:- person with a disability.

313 SECTION 83. Said section 13 of said chapter 19C, as so appearing, is hereby further
314 amended by striking out, in line 1, the words “disabled person” and inserting in place thereof the
315 following words:- person with a disability.

316 SECTION 84. Said section 13 of chapter 19C, as so appearing, is hereby further amended
317 by striking out, in line 3, the words “contracting with the commonwealth” and inserting in place
318 thereof the following words:- providing services or treatment to a person with a disability
319 pursuant to a contract, license, or agreement with an agency of the commonwealth.

320 SECTION 85. Said section 13 of chapter 19C, as so appearing, is hereby further amended
321 by striking out, in line 6, the word “a” and inserting in place thereof the following word:- any.

322 SECTION 86. Said section 13 of said chapter 19C, as so appearing, is hereby further
323 amended by striking out, in line 8, the words “disabled person” and inserting in place thereof the
324 following words:- person with a disability.

325 SECTION 87. Section 220 of chapter 111 of the General Laws, as so appearing, is hereby
326 amended by striking out, in lines 20 to 21, the words “disabled persons protection commission”
327 and inserting in place thereof the following words:- commission for the protection of persons
328 with disabilities.