

HOUSE No. 88

The Commonwealth of Massachusetts

PRESENTED BY:

Brian M. Ashe

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 relative to community based day support services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>

HOUSE No. 88

By Mr. Ashe of Longmeadow, a petition (accompanied by bill, House, No. 88) of Brian M. Ashe and others relative to community based day support services appropriate to the needs of persons with disabilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to community based day support services.

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

1 Chapter 19B of the General Laws, as appearing in the 2016 Official Edition, is hereby
2 amended by inserting after section 12A the following section:-

3 Section 12B. (a) The department shall provide employment services in a flexible
4 integrated setting within the community based day support services programs facilities which are
5 appropriate to the needs of persons with disabilities, hereinafter referred to as “employees”, until
6 such time as they are ready to be mainstreamed into employment within a community setting.

7 For the purpose of this section, the term “community based day support services programs” shall
8 mean programs that assist clients to build and maintain their ability to participate in community
9 activities by focusing on skill areas that include communication, self-care, relationship-building
10 and community involvement.

11 (b) An integrated setting shall consist of social and interpersonal interactions with
12 colleagues, vendors, customers, superiors or other such persons who the employee may come

13 into contact with during the work day. The employment service shall allow intellectually and
14 physically challenged individuals to work in a supportive employment environment which
15 enhances productivity, safety and self-esteem. Any individual who chooses to participate in the
16 employment service shall be assessed annually by the department to determine the appropriate
17 employment environment.

18 (c) A reserve through the department shall be established and all employment shall
19 remain under department guidelines. The work will be offered through and managed by the
20 community based day support services programs for up to but not to exceed 4 hours per day. All
21 participating employees shall receive a subminimum wage rate from the provider as set forth in
22 Section 14(c) of the Fair Labor Standards Act.