

Senate, No. 2593

[Senate, July 31, 2010 - Substituted by amendment by the Senate (Ways and Means) for Senate, No. 810.]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND TEN

AN ACT TO ELIMINATE RACIAL AND ETHNIC HEALTH DISPARITIES IN THE COMMONWEALTH.

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.** The General Court finds and declares that:

2 (a) disparities in health and health care are widespread in Massachusetts, and such
3 inequalities compromise the health and well being of racial and ethnic minorities, impacting all
4 Massachusetts residents;

5 (b) health disparities result from a range of social and economic factors that are not
6 limited to healthcare, but also include education and employment, neighborhoods and housing,
7 bias, discrimination and a variety of social determinants;

8 (c) addressing health disparities for racial and ethnic minorities is important to
9 eliminating disparities for other underserved populations including affected gender groups,
10 sexual minorities, geographically-isolated communities and persons with disabilities; and

11 (d) an effective state strategy to eliminate disparities must be comprehensive and include
12 interventions that coordinate policies and efforts across state systems, agencies, and programs.

13 **SECTION 2.** The second paragraph of section 16 of chapter 6A of the General Laws, as
14 appearing in the 2008 Official Edition, is hereby amended by striking out the words “and, (7) the
15 health facilities appeals board” and inserting after in place thereof the following words:-

16 (7) the health facilities appeal board; and (8) the office of health equity.

17 **SECTION 3.** Section 16O of said chapter 6A, as so appearing, is hereby amended by
18 inserting after the word, “recommendations,” in line 3, the following words:- to the director of
19 the office of health equity.

20 **SECTION 4.** Said section 16O of said chapter 6A, as so appearing, is hereby further
21 amended by striking out, in line 15, the figure “37” and inserting in place thereof the following
22 figure:- 38.

23 **SECTION 5.** Said section 16O of said chapter 6A, as so appearing, is hereby further
24 amended by inserting after the word “officio”, in line 19, the following words:- ; the director of
25 the office of health equity, or the director’s designee.

26 **SECTION 6.** Said chapter 6A is hereby amended by inserting after section 16S the
27 following section: –

28 Section 16T. There shall be an office of health equity within the executive office of
29 health and human services. The office shall be in the charge of a director, who shall report
30 directly to the secretary of health and human services. The health disparities council, described in
31 section 16O, shall serve as an advisory board to the office of health equity.

32 **SECTION 7.** The General Laws are hereby amended by inserting after chapter 111N the
33 following chapter:–

34 CHAPTER 111O.

35 OFFICE OF HEALTH EQUITY.

36 Section 1. As used in this chapter the following words shall, unless the context clearly
37 requires otherwise, have the following meanings: –

38 “Disparities” or “Racial and ethnic health and health care disparities”, differences in the
39 incidence, prevalence, mortality and burden of diseases and other adverse health conditions that
40 exist among specific racial and ethnic groups.

41 “Office”, the office of health equity, as established by section 16T of chapter 6A.

42 Section 2. The office, subject to appropriation, shall coordinate all activities of the
43 commonwealth to eliminate racial and ethnic health and health care disparities. The office shall
44 set goals for the reduction of disparities and prepare an annual plan for the commonwealth to
45 eliminate disparities.

46 Section 3. The office, subject to appropriation, shall collaborate with other state agencies
47 of the commonwealth on disparities reduction initiatives to address the social factors that
48 influence health inequality. These state agencies shall include, but shall not be limited to, the

49 executive office of health and human services, the executive office of housing and economic
50 development, the executive office of public safety and security, the executive office of energy
51 and environmental affairs, the Massachusetts Department of Transportation, the executive office
52 of labor and workforce development and the executive office of education.

53 The office shall facilitate communication and partnership between these agencies to
54 develop greater understanding of the intersections between agency activities and health
55 outcomes. The office shall facilitate development of interagency initiatives to address the social
56 and economic determinants of health and key health disparities issues including, but not limited
57 to, healthcare access and quality; housing availability and quality; transportation availability,
58 location and cost; community policing and safe spaces; air, water, land usage and quality;
59 employment and workforce development; and education access and quality.

60 Section 4. The office, subject to appropriation, shall evaluate the effectiveness of
61 programs and interventions to eliminate health disparities, identifying best practices and model
62 programs for the state.

63 Section 5. The secretary of health and human services shall annually, on the day assigned
64 for submission of the budget to the general court under section 7H of chapter 29, designate major
65 initiatives of the commonwealth affecting the health and health care of residents of the
66 commonwealth. These initiatives may include any activity of the commonwealth including, but
67 not limited to, activities of the executive office of health and human services, the executive
68 office of housing and economic development, the executive office of public safety and security,
69 the executive office of energy and environmental affairs, the Massachusetts Department of

70 Transportation, the executive office of labor and workforce development and the executive office
71 of education.

72 For each major initiative, the office shall prepare a disparities impact statement
73 evaluating the likely positive or negative impact of each initiative on eliminating or reducing
74 racial and ethnic health disparities. The statements shall, to the extent possible, include
75 quantifiable impacts and evaluation benchmarks. The statements shall be posted on the official
76 internet site of the executive office of health and human services and submitted to the clerks of
77 the house of representatives and senate, members of the health disparities council, appropriate
78 legislative committees and the house and senate committees on ways and means.

79 Section 6. The office, subject to appropriation, shall prepare an annual health disparities
80 report card. The report card shall evaluate the progress of the commonwealth toward eliminating
81 racial and ethnic health disparities, using, where possible, quantifiable measures and comparative
82 benchmarks. The report card shall report on progress on a regional basis, based on regions
83 designated by the office. The office shall hold public hearings in several regions of the state to
84 get public information on the topics of the report card. The report card shall be delivered to the
85 governor, speaker of the house of representatives and president of the senate and the members of
86 the health disparities council, established under section 16O of chapter 6A, before July 1 of each
87 year and shall be posted on the official internet site of the office or executive office of health and
88 human services.