

SENATE No. 2739

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, March 3, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (House, No. 4441) (also based on Senate, No. 2582); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2739.

For the committee,
Michael J. Rodrigues

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1 SECTION 1. Section 17 of chapter 6 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out, in lines 4 to 7, inclusive, the words “, and the
3 superintendent, the board of trustees of the Soldiers’ Home in Holyoke, who shall have the title
4 of superintendent and is appointed by the board of trustees of the Soldiers’ Home in Holyoke”.

5 SECTION 2. Section 17A of said chapter 6, as so appearing, is hereby amended by
6 inserting after the word “transportation,” in line 8, the following words:- the secretary of
7 veterans’ services.

8 SECTION 3. Sections 40, 41, 70 and 71 of said chapter 6 are hereby repealed.

9 SECTION 4. Section 105 of said chapter 6, as appearing in the 2020 Official Edition, is
10 hereby amended by striking out, in line 17, the word “commissioner” and inserting in place
11 thereof the following word:- secretary.

12 SECTION 5. Section 124A of said chapter 6, as so appearing, is hereby amended by
13 striking out, in line 3, the word “commissioner” and inserting in place thereof the following
14 word:- secretary.

15 SECTION 6. Said chapter 6 is hereby amended by adding the following 2 sections:-

16 Section 222. (a) There shall be a Massachusetts veterans' homes advisory council. The
17 council shall advise the secretary of veterans' services to ensure the health, wellbeing and safety
18 of residents of state-operated veterans' homes and access to equitable, high quality and
19 competent care for veterans across all regions of the commonwealth. The council shall consist
20 of: the executive director of the office of veterans' homes and housing or a designee, who shall
21 serve as chair; the secretary of health and human services or a designee; the chair of each
22 regional council for each state-operated veterans' home; the adjutant general of the
23 Massachusetts National Guard or a designee; the department commander of the American
24 Legion, Department of Massachusetts, Inc. or a designee; the department adjutant of the
25 Disabled American Veterans of Massachusetts or a designee; the state commander of Veterans of
26 Foreign Wars Department of Massachusetts or a designee; 5 members appointed by the
27 governor, 1 of whom shall represent the interests of female veterans and be resident of the
28 commonwealth, 1 of whom shall represent the interests of minority veterans and be resident of
29 the commonwealth, 1 of whom shall represent the interests of the LGBTQ veteran community
30 and be a resident of the commonwealth, 1 of whom shall have experience in labor relations and 1
31 of whom shall, by education or experience, be qualified in business and fiscal management and
32 have a demonstrated interest in the concerns of veterans; and 3 members appointed by the
33 secretary of health and human services, 1 of whom shall have professional knowledge in long-
34 term health care or geriatric health care, 1 of whom shall have experience in nursing and 1 of
35 whom shall be qualified in clinical services and preferably have demonstrated experience
36 treating post-traumatic stress disorder in veterans.

37 The council shall elect a chair pro tempore, a secretary and a clerk whose duties and
38 responsibilities shall be set forth by the chair and approved by a vote of the council. The

39 appointed members shall serve for a term of 3 years or until a successor is appointed. An
40 appointed member may be removed for cause at any time during the member's term by the
41 appointing authority. A vacancy shall be filled for the balance of the unexpired term in the same
42 manner as the original appointment. Members of the council shall serve without compensation
43 but may receive reasonable reimbursement for travel and expenses incurred in the discharge of
44 their duties. A majority of the appointed and serving members of the council shall constitute a
45 quorum of the council for the transaction of business. An action of the council shall be approved
46 by a majority vote of the members present at a meeting where a quorum is present.

47 The council shall meet as often as the chair deems necessary or appropriate but not less
48 than 4 times per calendar year. The council shall consult and meet not less than biannually with
49 the regional councils for each state-operated veterans' home. The council shall meet not less than
50 biannually with representatives of all unions employed at all state-operated veterans' homes and
51 the ombudsperson of the homes.

52 (b) The council shall recommend policies and propose rules and regulations pertaining to
53 state-operated veterans' homes to the secretary of veterans' services. To assist in making such
54 recommendations, the council shall: (i) have the authority to visit and review the operation of
55 each state-operated veterans' home; (ii) have the authority to review and comment on rules and
56 regulations promulgated by the department of veterans' services concerning the homes before the
57 rules and regulations are submitted for public comment; (iii) have direct communications and
58 establish effective working relationships and lines of communication with appropriate state
59 offices and staff; (iv) review and provide written comments to the executive director of veterans'
60 homes and housing and the secretary of veterans' services regarding the system of governance
61 and oversight for the homes, which shall include all rules, regulations and laws necessary for

62 effective management and preserving the health and welfare of the veterans admitted to state-
63 operated veteran health care and long-term care facilities; and (v) monitor the progress of capital
64 construction projects at current or future homes. The council shall refer any complaints it
65 receives regarding the health, safety, welfare or rights of residents or staff of any state-operated
66 veterans' home to the ombudsperson established in section 15 of chapter 115A.

67 (c) All members of the council shall complete annual training regarding their roles and
68 responsibilities developed by the executive director of veterans' homes and housing in
69 consultation with the superintendents of each state-operated veterans' home. Training for council
70 members shall include, but not be limited to, training on their fiduciary responsibilities pursuant
71 to all applicable statutes, rules and processes mandated by the office of the comptroller and the
72 executive office for administration and finance and procurement rules for public agencies.

73 (d) Annually, not later than September 30, the council shall file a report on its activities.
74 The report shall include, but not be limited to: (i) the census and demographics of each state-
75 operated veterans' home; (ii) an accounting of all revenues received and expended; (iii) any
76 recommendations for improvements to the homes; (iv) a description of staffing levels at each
77 home and a determination as to whether staffing levels meet industry standards; (v) a list of
78 complaints, charges or recommendations from patients, family members and guardians and
79 corresponding actions taken; and (vi)) recommendations to increase regional equity and
80 accessibility, as well as equitable access for people of all identities, including, but not limited to,
81 race, religion, sex, gender identity and sexual orientation; and (vii) all other matters the council
82 considers pertinent. The council shall consider in its report the needs of the changing veteran
83 population in the commonwealth, including, but not limited to, service-related injuries, mental
84 health and gender related needs. Each state-operated veterans' home shall provide the council

85 with all information necessary to carry out these requirements. Information received from the
86 homes shall be confidential and all personally identifiable information shall be redacted from the
87 final report. The report shall be filed with the secretary of veterans' services, the executive
88 director of veterans' homes and housing, the secretary of health and human services, the clerks
89 of the house of representatives and the senate, the joint committee on veterans and federal
90 affairs, the joint committee on public health and the house and senate committees on ways and
91 means.

92 Section 223. (a) There shall be a regional council for each state-operated veterans' home
93 in the commonwealth to represent the local community, residents and family members of each
94 home. Each council shall consist of 7 members and shall be appointed by the executive director
95 of veterans' homes and housing, with the approval of the secretary of veterans' services. Not less
96 than 3 of the members of the council at each home shall be veterans, not less than 4 of the
97 members of the council at each home shall reflect the geographic composition of the residents of
98 the respective veterans' home and at least 1 member of the council at each home shall have a
99 family member who is a resident of the respective home. Members shall serve for 3 years. Upon
100 the expiration of the term of office of a member, their successor shall be appointed in the same
101 manner as the initial appointment. The secretary of veterans' services may remove a member for
102 cause at any time. The members shall vote to select a chair. The members shall serve without
103 compensation, but may receive reasonable reimbursement for travel and expenses incurred in the
104 discharge of their duties.

105 (b) All members shall complete an annual training regarding their roles and
106 responsibilities which shall be developed by the executive director of veterans' homes and
107 housing in consultation with the superintendent of the council's respective home.

108 (c) Each council shall advise the superintendent of their respective home on the
109 management and control of all property, real and personal, belonging to the commonwealth and
110 occupied or used by state-operated veterans' homes pursuant to the superintendent's
111 responsibility under subsection (b) of section 14 of chapter 115A.

112 (d) Each council shall have the power to: (i) visit its respective veterans' home; (ii) take
113 comments from residents, family of residents and home staff pertaining to the operation of the
114 home; (iii) recommend policies, rules and regulations regarding the operations and oversight of
115 their respective state-operated veterans' home to the superintendent, the Massachusetts veterans'
116 home advisory council and the executive director of veterans' homes and housing; and (iv)
117 submit comments to the superintendent of their respective home on the fiscal year budget
118 proposed by the superintendent for the home pursuant to subsection (c) of section 14 of chapter
119 115A. Each council shall submit a nomination for the superintendent of their respective home,
120 and may submit recommendations for removal of the superintendent to the executive director of
121 veterans' homes and housing pursuant to subsection (a) of said section 14 of said chapter 115A.

122 (e) Each council shall meet: (i) as a body as often as the chair deems necessary or
123 appropriate but not less than every other month; (ii) with representatives of all unions employed
124 at their respective home and the ombudsperson not less than biannually; (iii) with community
125 members to discuss improvements and needs of their respective home not less than biannually;
126 and (iv) with the Massachusetts veterans' homes advisory council, superintendent of the
127 council's respective home and executive director of veterans' homes and housing not less than
128 biannually. Annually, the councils shall have a joint meeting to share best practices.

129 (f) Annually, not later than September 30, each council shall report on its activities,
130 including, but not limited to: (i) a record of its meetings; (ii) a summary of complaints and
131 comments received from staff, residents, family members of residents and the general public
132 regarding its respective home; (iii) a summary of comments submitted to the superintendent of
133 their respective home on the fiscal year budget for the home presented to the council by the
134 superintendent pursuant to subsection (c) of section 14 of chapter 115A; (iv) any
135 recommendations to improve access to equitable, high quality and culturally competent care to
136 veterans served by its respective home; and (v) any other recommendations for improvement of
137 its respective home. The report shall be submitted to the Massachusetts veterans' homes advisory
138 council, the secretary of veterans' services, the executive director of veterans' homes and
139 housing, the secretary of health and human services, the clerks of the house of representatives
140 and the senate, the joint committee on veterans and federal affairs, the joint committee on public
141 health and the house and senate committees on ways and means.

142 SECTION 7. Section 2 of chapter 6A of the General Laws, as appearing in the 2020
143 Official Edition, is hereby amended by striking out, in line 6, the words "and transportation and
144 public works" and inserting in place thereof the following words:- , transportation and veterans'
145 services.

146 SECTION 8. Section 16 of said chapter 6A, as so appearing, is hereby amended by
147 striking out, in lines 34 to 37, inclusive, the words "(5) the department of veterans' services
148 under the direction of the secretary of veterans' services, who shall be appointed by the
149 governor, which shall include the Soldiers' Home in Massachusetts and the Soldiers' Home in
150 Holyoke; (6) the managed care oversight board; (7) the health facilities appeals board; and (8)

151 the office of health equity” and inserting in place thereof the following words:- (5) the managed
152 care oversight board; (6) the health facilities appeals board; and (7) the office of health equity.

153 SECTION 9. Said chapter 6A is hereby amended by adding the following 3 sections:-

154 Section 105. There shall be a department of veterans’ services under the supervision and
155 control of a secretary of veterans’ services, who shall be appointed by the governor, and who
156 shall serve at the pleasure of the governor and may be removed by governor at any time. This
157 position shall be classified in accordance with section 45 of chapter 30 and the salary shall be
158 determined in accordance with section 46C of said chapter 30. The secretary shall devote their
159 full-time during business hours to the duties of their office. The secretary shall be the state agent
160 for the settlement of pension, bounty, back pay, compensation and other claims of citizens of the
161 commonwealth against the government of the United States, or any state thereof, on account of
162 military or naval service and shall assist and advise war veterans, and their dependents, heirs or
163 legal representatives, with respect to the filing, prosecution and settlement of such claims.

164 Section 106. The secretary shall be allowed their traveling expenses when necessary for
165 the secretary to visit the city of Washington, and may expend for such purpose and for all other
166 expenses necessary for the proper performance of the secretary’s duties such sums as are
167 annually appropriated therefor.

168 Section 107. The secretary of veterans’ services shall appoint and may remove a deputy
169 secretary of veterans’ services who shall devote their full-time during business hours to the
170 duties of their office. The deputy secretary shall be subject to the direction and control of the
171 secretary. The deputy secretary shall perform the duties of the secretary during the secretary’s
172 absence on account of disability or other reason.

173 SECTION 10. Section 4H of chapter 7 of the General Laws, as appearing in the 2020
174 Official Edition, is hereby amended by striking out, in line 98, the word “commissioner” and
175 inserting in place thereof the following word:- secretary.

176 SECTION 11. Sections 4M to 4O, inclusive, of said chapter 7 are hereby repealed.

177 SECTION 12. Section 18A of chapter 8 of the General Laws, as so appearing, is hereby
178 amended by striking out, in lines 6, each time it appears, 7, 8 and 10, the word “commissioner”
179 and inserting in place thereof, in each instance, the following word:- secretary.

180 SECTION 13. Section 7 of chapter 10 of the General Laws, as so appearing, is hereby
181 amended by striking out, in lines 2 and 3, the words “the Soldiers’ Home in Massachusetts and
182 of the Soldiers’ Home in Holyoke” and inserting in place thereof the following words:- state-
183 operated veterans’ homes.

184 SECTION 14. Section 62 of chapter 22C of the General Laws, as so appearing, is hereby
185 amended by striking out, in lines 2 and 3, the words “the Soldiers’ Home in Holyoke, or the
186 Soldiers’ Home in Massachusetts located in the city of Chelsea, as the case may be” and
187 inserting in place thereof the following words:- a state-operated veterans’ home.

188 SECTION 15. Section 9B of chapter 30 of the General Laws, as so appearing, is hereby
189 amended by striking out, in lines 3 and 4, the word “the soldiers’ homes in Massachusetts” and
190 inserting in place thereof the following words:- a state-operated veterans’ home’.

191 SECTION 16. Section 24A of said chapter 30, as so appearing, is hereby amended by
192 striking out, in lines 20 and 21, the words “Soldiers’ Home in Massachusetts, Soldiers’ Home in
193 Holyoke” and inserting in place thereof the following words:- state-operated veterans’ homes.

194 SECTION 17. Section 49 of chapter 31 of the General Laws, as so appearing, is hereby
195 amended by striking out, in line 14, the words “soldiers’ home in Massachusetts” and inserting in
196 place thereof the following words:- state-operated veterans’ home in the city of Chelsea.

197 SECTION 18. Section 91 of chapter 32 of the General Laws, as so appearing, is hereby
198 amended by striking out, in line 54, the words “the Soldiers’ Home in Massachusetts or the
199 Soldiers’ Home in Holyoke” and inserting in place thereof the following words:- a state-operated
200 veterans’ home.

201 SECTION 19. Section 13 of chapter 58 of the General Laws, as so appearing, is hereby
202 amended by striking out, in lines 58 and 59, the words “the Soldiers’ Home in Massachusetts, the
203 Soldiers’ Home in Holyoke” and inserting in place thereof the following words:- a state-operated
204 veterans’ home.

205 SECTION 20. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby
206 amended by striking out, in line 1108, the word “commissioner” and inserting in place thereof
207 the following word:- secretary.

208 SECTION 21. Section 21 of chapter 62C of the General Laws, as so appearing, is hereby
209 amended by striking out, in lines 58 and 59, the word “commissioner” and inserting in place
210 thereof the following word:- secretary.

211 SECTION 22. Section 38GG of chapter 63 of the General Laws, as so appearing, is
212 hereby amended by striking out, in lines 2 and 28, the word “commissioner” and inserting in
213 place thereof, in each instance, the following word:- secretary.

214 SECTION 23. Section 18 of chapter 66 of the General Laws, as so appearing, is hereby
215 amended by striking out, in lines 3 and 4, the words “commissioner of veterans’ services, or
216 records kept by him” and inserting in place thereof the following words:- secretary of veterans’
217 services or records kept by the secretary.

218 SECTION 24. Section 70E of chapter 111 of the General Laws, as so appearing, is
219 hereby amended by striking out, in lines 12 and 13, the words “the Soldiers Home in Holyoke,
220 the Soldiers’ Home in Massachusetts” and inserting in place thereof the following words:- a
221 state-operated veterans’ home.

222 SECTION 25. Said chapter 111 is hereby amended by inserting after section 73B the
223 following section:-

224 Section 73C. (a) The department of public health shall conduct inspections of all state-
225 operated veterans’ homes as the department deems necessary but not less than twice annually;
226 provided, however, that during emergency operations, as declared by the secretary of veterans’
227 services or the governor, the department shall conduct inspections of all state-operated veterans’
228 homes not less than once every 30 days.

229 (b) After an inspection, the department shall notify the superintendent of the state-
230 operated veterans’ home in writing of every violation of applicable rules and regulations and
231 specify a reasonable period of time, not exceeding 30 days after receipt of the notice, for the
232 superintendent to provide a plan to remediate any such violation. After the specified period of
233 time has passed, the department shall conduct a follow-up inspection of the home to ensure
234 compliance. If the superintendent of the state-operated veterans’ home has failed to remedy the
235 violation at the time of the follow-up inspection, the superintendent shall report weekly to the

236 department detailing steps taken towards, and the expected date of, remediation. Not less than 30
237 days after the superintendent notifies the department that a violation has been remedied, the
238 department shall conduct an inspection of the state-operated veterans' home to verify that the
239 violation has been remedied.

240 (c) Not later than 30 days after each inspection, the department shall report its findings to
241 the Massachusetts Veterans' Home Advisory Council, the regional council of the inspected
242 home, the executive director of veterans' homes and housing, the secretary of veterans' services,
243 the joint committee on veterans and federal affairs and the joint committee on public health.
244 Inspection reports and corrections of violations shall be made available to the public on the
245 department's website.

246 SECTION 26. Section 1 of chapter 113 of the General Laws, as appearing in the 2020
247 Official Edition, is hereby amended by striking out, in lines 6 and 7, the words "the Soldiers'
248 Home in Massachusetts and the Soldiers' Home in Holyoke", and inserting in place thereof the
249 following words:- the state-operated veterans' homes.

250 SECTION 27. Section 1 of chapter 115 of the General Laws, as so appearing, is hereby
251 amended by striking out the definition of "Commissioner".

252 SECTION 28. Said section 1 of said chapter 115, as so appearing, is hereby further
253 amended by inserting after the definition of "Institution" the following definition:-

254 "Secretary", the secretary of veterans' services.

255 SECTION 29. Section 2 of said chapter 115, as so appearing, is hereby amended by
256 striking out, in lines 1, 18, 24 and 25, 29, 58, 59, 73, 140 and 141, 153, 161 and 167, the word
257 “commissioner” and inserting in place thereof, in each instance, the following word:- secretary.

258 SECTION 30. Section 2A of said chapter 115, as so appearing, is hereby amended by
259 striking out the word “commissioner”, in lines 1 and 17, and inserting in place thereof, in each
260 instance, the following word:- secretary.

261 SECTION 31. Section 2C of said chapter 115, as so appearing, is hereby amended by
262 striking out, in lines 1 and 9, the word “commissioner and inserting in place thereof, in each
263 instance, the following word:- secretary.

264 SECTION 32. Section 3 of said chapter 115, as so appearing, is hereby amended by
265 striking out, in line 20, the word “commissioner” and inserting in place thereof the following
266 word:- secretary.

267 SECTION 33. Section 4 of said chapter 115, as so appearing, is hereby amended by
268 striking out, in lines 5, 9 and 12, the word “commissioner” and inserting in place thereof, in each
269 instance, the following word:- secretary.

270 SECTION 34. Section 5 of said chapter 115, as so appearing, is hereby amended by
271 striking out, in lines 13, 28, 30, 40, 42, each time it appears, 64, 74, 87, 89 and 90, 92, 106 and
272 115, the word “commissioner” and inserting in place thereof, in each instance, the following
273 word:- secretary.

274 SECTION 35. Said section 5 of said chapter 115, as so appearing, is hereby amended by
275 striking out, in lines 38 and 39, the words “soldiers’ or sailors' home or from a soldiers’ home”

276 and inserting in place thereof the following words:- veterans' or sailors' home or from a state-
277 operated veterans' home.

278 SECTION 36. Section 5A of said chapter 115, as so appearing, is hereby amended by
279 striking out, in lines 41, 45 and 46, 47, each time it appears, 50 and 51 and 52, the word
280 "commissioner" and inserting in place thereof, in each instance, the following word:- secretary.

281 SECTION 37. Section 6 of said chapter 115, as so appearing, is hereby amended by
282 striking out, in lines 9 and 10, 11 and 12, 14 and 18, the word "commissioner" and inserting in
283 place thereof, in each instance, the following word:- secretary.

284 SECTION 38. Section 6C of said chapter 115, as so appearing, is hereby amended by
285 striking out, in line 2, the word "commissioner" and inserting in place thereof the following
286 word:- secretary.

287 SECTION 39. Section 7 of said chapter 115, as so appearing, is hereby amended by
288 striking out, in lines 4 and 5 and 14, the word "commissioner" and inserting in place thereof, in
289 each instance, the following word:- secretary.

290 SECTION 40. Section 8 of said chapter 115, as so appearing, is hereby amended by
291 striking out, in lines 26, 27, each time it appears, 30 and 38, the word "commissioner" and
292 inserting in place thereof, in each instance, the following word:- secretary.

293 SECTION 41. Section 9 of said chapter 115, as so appearing, is hereby amended by
294 striking out, in line 27, the word "commissioner" and inserting in place thereof the following
295 word:- secretary.

296 SECTION 42. Section 12 of said chapter 115, as so appearing, is hereby amended by
297 striking out, in line 9, the word “commissioner” and inserting in place thereof the following
298 word:- secretary.

299 SECTION 43. Section 14 of said chapter 115, as so appearing, is hereby amended by
300 striking out, in line 3, the word “commissioner” and inserting in place thereof the following
301 word:- secretary.

302 SECTION 44. Section 1 of chapter 115A of the General Laws, as so appearing, is hereby
303 amended by striking out, in lines 7 and 8, the words “, the Soldiers’ Home in Massachusetts and
304 the Soldiers’ Home in Holyoke” and inserting in place thereof the following words:- a state-
305 operated veterans’ home.

306 SECTION 45. Section 4 of said chapter 115A, as so appearing, is hereby amended by
307 striking out, in lines 7 and 8, the words “the Soldiers’ Home in Massachusetts and the Soldiers’
308 Home in Holyoke” and inserting in place thereof the following words:- a state-operated veterans’
309 home.

310 SECTION 46. Said section 4 of said chapter 115A, as so appearing, is hereby further
311 amended by striking out, in line 9, the words “said Homes” and inserting in place thereof the
312 following words:- the state-operated veterans’ homes.

313 SECTION 47. Said section 4 of said chapter 115A, as so appearing, is hereby further
314 amended by striking out, in line 14, the words “said Homes” and inserting in place thereof the
315 following words:- a state-operated veterans’ home.

316 SECTION 48. Section 5 of said chapter 115A is hereby repealed.

317 SECTION 49. Section 6 of said chapter 115A, as appearing in the 2020 Official Edition,
318 is hereby amended by striking out, in line 4, the word “either of said Homes” and inserting in
319 place thereof the following words:- a state-operated veterans’ home.

320 SECTION 50. Said section 6 of said chapter 115A, as so appearing, is hereby further
321 amended by striking out, in lines 5 and 6, the words “commandant or”.

322 SECTION 51. Said section 6 of said chapter 115A, as so appearing, is hereby further
323 amended by striking out, in lines 11, 13 and 14, 17 and 20, the words “said Home” and inserting
324 in place thereof, in each instance, the following words:- the home.

325 SECTION 52. Section 7 of said chapter 115A, as so appearing, is hereby amended by
326 striking out, in line 1, the words “either of such Homes” and inserting in place thereof, in each
327 instance, the following words:- “a state-operated veterans’ home”.

328 SECTION 53. Said section 7 of said chapter 115A, as so appearing, is hereby further
329 amended by striking out, in lines 3, 4, 8, 11, 20, 24, 26 and 31, the word “Home” and inserting in
330 place thereof, in each instance, the following word:- home.

331 SECTION 54. Section 8 of said chapter 115A, as so appearing, is hereby amended by
332 striking out, in line 1, the words “Soldiers’ Homes” and inserting in place thereof the following
333 words:- state-operated veterans’ homes.

334 SECTION 55. Said section 8 of said chapter 115A, as so appearing, is hereby further
335 amended by striking out, in line 2, the word “Homes” and inserting in place thereof the following
336 word:- homes.

337 SECTION 56. Said section 8 of said chapter 115A, as so appearing, is hereby further
338 amended by striking out, in line 5, the word “Soldiers’ Home” and inserting in place thereof the
339 following word:- home.

340 SECTION 57. Said section 8 of said chapter 115A, as so appearing, is hereby further
341 amended by striking out, in lines 6 and 10, the word “Home” and inserting in place thereof, in
342 each instance, the following word:- home.

343 SECTION 58. Section 9 of said chapter 115A, as so appearing, is hereby amended by
344 striking out, in line 3, the words “Soldiers’ Home in Massachusetts” and inserting in place
345 thereof the following words:- state-operated veterans’ home in the city of Chelsea.

346 SECTION 59. Section 10 of said chapter 115A, as so appearing, is hereby amended by
347 striking out, in lines 1 and 2, the word “commandant of the Soldiers’ Home in Massachusetts”
348 and inserting in place thereof the following words:- superintendent of the state-operated
349 veterans’ home in the city of Chelsea.

350 SECTION 60. Section 10A of said chapter 115A, as so appearing, is hereby amended by
351 striking out, in lines 1, 10, 22, 26, 28, 33, 38 and 50, and inserting in place thereof, in each
352 instance, the following words:- superintendent.

353 SECTION 61. Said section 10A of said chapter 115A, as so appearing, is hereby
354 amended by striking out, in lines 1 and 2 and lines 15 and 16, the words “Soldiers’ Home in
355 Massachusetts”, and inserting in place thereof, in each instance, the following words:- state-
356 operated veterans’ home in the city of Chelsea.

357 SECTION 62. Said section 10A of said chapter 115A, as so appearing, is hereby further
358 amended by striking out, in line 21, the words “Soldiers’ Home” and inserting in place thereof
359 the following word:- state-operated veterans’ home in the city of Chelsea.

360 SECTION 63. Said section 10A of said chapter 115A, as so appearing, is hereby further
361 amended by striking out, in lines 32 and 35, the word “commandant’s” and inserting in place
362 thereof, in each instance, the following word:- superintendent’s.

363 SECTION 64. Section 11 of said chapter 115A, as so appearing, is hereby amended by
364 striking out, in line 1, the words “Soldiers’ Home in Massachusetts”, and inserting in place
365 thereof the following words:- state-operated veterans’ home in the city of Chelsea.

366 SECTION 65. Section 12 of said chapter 115A, as so appearing, is hereby further
367 amended by striking out, in lines 2, 8 and 11, the word “commissioner” and inserting in place
368 thereof, in each instance, the following word:- secretary.

369 SECTION 66. Said section 12 of said chapter 115A, as so appearing, is hereby amended
370 by inserting after the word “the”, in line 16, the following words:- state-operated.

371 SECTION 67. Said section 12 of said chapter 115A, as so appearing, is hereby further
372 amended by striking out, in lines 19 to 21, inclusive, the words “board of trustees of the Soldiers’
373 Home in Massachusetts and the Soldiers’ Home in Holyoke jointly at least twice per calendar
374 year”, and inserting in place thereof the following words:- Massachusetts veterans’ homes
375 advisory council not less than quarterly in accordance with subsection (e) of section 15 of
376 chapter 115A.

377 SECTION 68. Said section 12 of said chapter 115A, as so appearing, is hereby further
378 amended by striking out, in lines 24 to 29, inclusive, the words “ provided, however, that the
379 boards of trustees of the Soldiers’ Home in Massachusetts and the Soldiers’ Home in Holyoke
380 shall not be subject to the control of the executive director; and provided further, that the
381 executive director shall not have control over the day-to-day operations of the Soldiers’ Home in
382 Massachusetts or the Soldiers’ Home in Holyoke.” and inserting in place thereof the following
383 words:- provided, however, that the executive director shall not have control over the day-to-day
384 operations of a state-operated veterans’ home.

385 SECTION 69. Said section 12 of said chapter 115A, as so appearing, is hereby further
386 amended by striking out, in lines 31 and 39, the word “soldiers” and inserting in place thereof
387 the following words:- state-operated veterans’.

388 SECTION 70. Said section 12 of said chapter 115A, as so appearing, is hereby further
389 amended by striking out, in lines 42 and 43, the words “Soldiers’ Home in Massachusetts and the
390 Soldiers’ Home in Holyoke” and inserting in place thereof the following words:- state-operated
391 veterans’ homes.

392 SECTION 71. Said chapter 115A is hereby amended by adding the following 5 sections:-

393 Section 13. The secretary of veterans’ services shall promulgate rules and regulations
394 pertaining to the operation and administration of the state-operated veterans’ homes. The
395 secretary, in consultation with the executive director of veterans’ homes and housing, shall
396 continually evaluate the performance of the state-operated veterans’ homes and take any action
397 necessary to ensure the safety and welfare of residents of the homes.

398 Section 14. (a) Each state-operated veterans' home shall have a: (i) superintendent, who
399 shall serve as the administrative head of the veterans' home and who shall report to the executive
400 director of veterans' homes and housing; and (ii) deputy superintendent, who shall report to the
401 superintendent. The superintendent and deputy superintendent shall be appointed by the
402 executive director of veterans' homes and housing with priority given to candidates who are
403 veterans and may be removed by the executive director without cause.

404 The superintendent for each veterans' home shall be licensed as a nursing home
405 administrator pursuant to section 109 of chapter 112 of the General Laws and have an
406 understanding of veterans' issues, experience with management of a nursing home or long-term
407 care facility and shall have knowledge of and experience with fiscal management practices and
408 labor relations.

409 The executive director of veterans' homes and housing shall provide notice of a vacancy
410 in the position of superintendent or deputy superintendent at a veterans' home within 10 days of
411 the vacancy to the secretary of health and human services, the Massachusetts Veterans' Homes
412 Advisory Council and the regional council of the state-operated veterans' home at which the
413 vacancy exists. The secretary of health and human services, the Massachusetts Veterans' Homes
414 Advisory Council and the regional council of the state-operated veterans' home at which the
415 vacancy exists shall submit nominations to the executive director of veterans' homes and
416 housing for a candidate to fill the vacancy.

417 Recommendations for the removal of a superintendent or deputy superintendent may be
418 submitted to the executive director of veterans' homes and housing by the secretary of health and
419 human services, the Massachusetts Veterans' Homes Advisory Council and the regional council

420 of the state-operated veterans' home at which the superintendent or deputy superintendent has
421 been appointed.

422 (b) Each superintendent shall be responsible for the management and control of all
423 property, real and personal, belonging to the commonwealth and occupied or used by their
424 respective state-operated veterans' homes, and shall hold and administer in trust the property
425 included in the legacy fund established under section 7 of chapter 115 and the effects accounts, if
426 and when the transfer thereof to the commonwealth is effected pursuant to a decree of a court of
427 competent jurisdiction, and in accordance with the terms and conditions imposed by such decree.

428 (c) Each superintendent shall be responsible for the day-to-day management and
429 operation of their respective state-operated veterans' home and shall ensure that facilities,
430 personnel, operations and finances are well managed and a high quality of care is maintained.
431 The responsibilities of a superintendent shall include, but not be limited to: (i) developing
432 organizational policies and procedures for the home; (ii) conducting recruitment, hiring and
433 training of personnel; (iii) directing, supervising and evaluating the work of personnel; (iv)
434 remaining up to date on medical advances and equipment; (v) ensuring compliance with
435 government regulations and policies; (vi) ensuring regular communication with state agencies
436 and bodies; (vii) managing fiscal planning and operations; and (viii) monitoring the use of
437 services and facilities to ensure effective use of resources and to assess future needs. Annually,
438 each superintendent shall meet with the regional council for their respective veterans' home to
439 provide a briefing on their budget proposal for the upcoming fiscal year and provide an
440 opportunity for comment from the council.

441 (d) The superintendent shall appoint and may remove a medical director, a director of
442 nursing and a chief financial officer. The medical director, director of nursing and chief financial
443 officer shall be employed full-time and shall devote their full time and attention to the duties of
444 their office. Section 49 of chapter 31 shall apply to the appointment of the chief financial officer.
445 The medical director shall be responsible for the medical, surgical and outpatient facilities and
446 shall make recommendations to the superintendent regarding the appointments of the director of
447 nursing and all physicians, nurses and other medical staff. The superintendent shall appoint and
448 remove such other persons as the superintendent deems necessary for the proper and efficient
449 operation of the facilities of the home.

450 (e) Each state-operated veterans' home shall employ a full-time infection control and
451 emergency preparedness specialist who shall report to the superintendent and be tasked with
452 ensuring the state-operated veterans' home maintains standards and protocols for infection
453 control and emergency preparedness consistent with applicable state and federal rules and
454 regulations.

455 (f) Any vacant position at any state-operated veterans' home shall have a public job
456 posting within 30 days of the vacancy unless the position is being permanently eliminated. If the
457 vacancy is for a leadership position at the home as determined by the superintendent, initial
458 interviews with potential candidates shall begin within 60 days of the vacancy. If the vacancy is
459 for a leadership position at the home and the position is deemed critical for emergency response
460 operations by the superintendent, initial interviews with potential candidates shall begin within
461 30 days of the vacancy and the superintendent shall ensure there is a clear understanding of who
462 is temporarily tasked with the appropriate emergency duties while the position is vacant. The

463 secretary of veterans' services, in coordination with the superintendent, shall ensure every effort
464 is made to fill vacancies at all state-operated veterans' homes in a timely manner.

465 (g) Annual performance reviews of the superintendent and deputy superintendent shall be
466 conducted by the executive director of veterans' homes and housing. Annual performance
467 reviews for individuals employed in all other leadership positions at all state-operated veterans'
468 homes shall be conducted by the superintendent in charge of the veterans' home. The reviews
469 shall utilize the MassPerform system or its successor system and shall be documented and
470 provided to the secretary of veterans' services.

471 Section 15. (a) Not less than annually, the superintendent of each state-operated veterans'
472 home, in consultation with the executive director of veterans' homes and housing and the
473 infection control and emergency preparedness specialist, shall review and update 2
474 organizational plans, 1 of which shall apply to normal operations and 1 of which shall apply to
475 emergency response operations, for each state-operated veterans' home outlining the chain of
476 command and communications protocols for the state-operated veterans' home. Both
477 organizational plans shall be distributed to all staff at the home annually, who shall indicate in
478 writing that they have received and reviewed both plans and are aware of their roles and
479 responsibilities. The executive director of veterans' homes and housing shall ensure that plans
480 are standardized across all state-operated veterans' homes to the extent possible.

481 (b) The organizational plan for emergency response operations for each state-operated
482 veterans' home shall be exercised not less than biannually. Not later than 30 days after the
483 conclusion of an exercise, the superintendent of the state-operated veterans' home, in
484 consultation with the executive director of veterans' homes and housing and the infection control

485 and emergency preparedness specialist, shall submit a report to the governor, the secretary of
486 veterans' services, the secretary of health and human services, the Massachusetts Veterans'
487 Homes Advisory Council, the regional council for the home, the joint committee on veterans and
488 federal affairs and the joint committee on public health summarizing the exercise, any
489 deficiencies identified in the organizational plan and a plan to take corrective action. The
490 secretary of veterans' services, in coordination with the superintendent, shall ensure any
491 deficiencies are addressed in a timely manner.

492 (c) Emergency response operations shall be initiated as needed by the secretary of
493 veterans' services in consultation with the governor. During emergency response operations, the
494 superintendent of the affected state-operated veterans' home, in consultation with the executive
495 director of veterans' homes and housing and the infection control and emergency preparedness
496 specialist, shall provide a situation report to the governor, the secretary of veterans' services, the
497 secretary of health and human services, the Massachusetts Veterans' Homes Advisory Council
498 and the regional council for the home not less than every 24 hours until the secretary of veterans'
499 services, in consultation with the governor, determines the emergency to be ceased.

500 (d) If emergency response operations are initiated at a state-operated veterans' home
501 pursuant to subsection (c), the superintendent of the affected state-operated veterans' home, in
502 coordination with the executive director of veterans' homes and housing, shall ensure that
503 appropriate mental health resources are made available to employees.

504 (e) Not less than quarterly, the executive director of veterans' homes and housing shall
505 meet with the leadership of each state-operated veterans' home, including the superintendent and

506 deputy superintendent, the Massachusetts Veterans' Home Advisory Council and the regional
507 council of each state-operated veterans' home.

508 Section 16. (a) The secretary of veterans' services shall employ an ombudsperson as a
509 full-time, paid position to advocate on behalf of residents and staff of state-operated veterans'
510 homes. The ombudsperson shall receive, investigate and resolve, through administrative action
511 and in a timely manner, complaints filed by residents and staff of state-operated veterans' homes,
512 individuals acting on their behalf or any organization or government agency that has reason to
513 believe that the home, a government agency or an organization acting in consultation or
514 coordination with the home or government agency has engaged in activities, practices or
515 omissions that constitute violations of applicable statutes or regulations or that may have an
516 adverse effect upon the health, safety, welfare or rights of residents or staff of the home. The
517 ombudsperson may work with leadership at the home or the executive director of veterans'
518 homes and housing to resolve any complaint and shall inform the party that initiated the
519 complaint once a resolution has been reached. The ombudsperson shall report to the secretary of
520 veterans' services. The ombudsperson shall not be subject to section 9A of chapter 30 or to
521 chapter 31.

522 (b) The ombudsperson may facilitate family meetings, provide outreach, create training
523 programs and lead orientation meetings for new residents of the homes and their families. The
524 ombudsperson shall have access to any state-operated veterans' home at any time that the
525 ombudsperson deems reasonable and necessary to: (i) investigate or resolve complaints made by
526 residents or staff or on their behalf; (ii) interview residents or staff, with their consent, in private;
527 (iii) offer the services of the ombudsperson or designee to any resident or staff, in private; (iv)
528 interview employees or agents of the state-operated veterans' home; (v) consult with the state-

529 operated veterans' home superintendent, deputy superintendent or other administrative staff; or
530 (vi) provide services authorized by law or by regulation. The ombudsperson or designee may
531 initiate an investigation of any state-operate veterans' home without a specific complaint.

532 (c) The ombudsperson shall have access to records of state-operated veterans' homes, and
533 the records of any veteran residing at a home with the veteran's written authorization, that are
534 necessary to carry out the duties of the ombudsperson. The ombudsperson shall have access to
535 the veteran's records without the veteran's written authorization if: (i) the ombudsperson or a
536 designee reasonably believes that a complaint situation exists that may only be resolved by the
537 inspection of the veteran's personal, financial or medical records; and (ii)(A) the veteran has no
538 representative and lacks the capacity to give consent; or (B) the ombudsperson has reason to
539 believe that the veteran's representative is not acting in the best interest of the veteran.

540 (d) The ombudsperson shall establish procedures to protect the confidentiality of
541 veterans' records and files. The procedures shall provide that: (i) information or records
542 maintained by the ombudsperson's office shall not be disclosed unless the ombudsperson or a
543 designee authorizes the disclosure; and (ii) the ombudsman or designee shall not disclose the
544 identity of any complainant or veteran involved in any complaint unless the complainant, veteran
545 or a representative of the complainant or veteran provides consent and the consent specifies to
546 whom the identity may be disclosed or a court orders such disclosure.

547 (e) Notwithstanding chapter 66A, section 70 of chapter 111, section 11 of chapter 111B,
548 section 18 of chapter 111E, chapter 112, chapter 123 or section 20B, section 20J or section 20K
549 of chapter 233 to the contrary, the disclosure of information to the ombudsperson pursuant to this
550 section shall not be prohibited. Any information considered to be confidential under said chapter

551 66A, said section 70 of said chapter 111, said section 11 of said chapter 111B, said section 18 of
552 said chapter 111E, said chapter 112, said chapter 123 or said section 20B, said section 20J or said
553 section 20K of said chapter 233 shall be submitted for the ombudsperson's review upon the
554 determination of the ombudsperson that the review of the information is necessary. The
555 ombudsperson shall ensure that no information submitted for their review is disseminated to
556 parties outside the office, except when disclosure may be necessary to enable the ombudsperson
557 to perform their duties. Neither the ombudsperson nor any employee of the office of veterans'
558 services shall violate the confidentiality provisions set forth in s said chapter 66A, said section 70
559 of said chapter 111, said section 11 of said chapter 111B, said section 18 of said chapter 111E,
560 said chapter 112, said chapter 123 or said section 20B, said section 20J or said section 20K of
561 said chapter 233.

562 Any and all information and records acquired by the ombudsperson in the exercise of
563 their purpose and duties under this section shall be confidential and exempt from disclosure
564 under chapter 66 and clause Twenty-sixth of section 7 of chapter 4; provided, however, that
565 statistical compilations of data that do not contain any information that would permit the
566 identification of any person may be disclosed to the public; provided further that this section
567 shall not preclude the ombudsperson from sharing with the governor, the attorney general, a
568 district attorney, a secretary, an agency commissioner or other agency personnel or the chairs of
569 the joint committee on veterans and federal affairs, the report of, or the results of, a critical
570 incident investigation involving that agency; and provided further that any executive or
571 legislative branch employee who receives or reads such a document shall be bound by the
572 confidentiality requirements of this section.

573 (f) The secretary of veterans' services shall establish an emergency communications
574 hotline that allows residents and staff at any state-operated veterans' home, individuals acting on
575 their behalf or any individual organization to communicate time-sensitive concerns regarding the
576 veterans' home to the office of the secretary of veterans' services, including, but not limited to,
577 time-sensitive and critical complaints about management, personnel, staffing, operational issues
578 or misuse of public funds. Any complaint submitted through said hotline may be submitted
579 anonymously. Hotline staff shall report to the secretary of veterans' services. The secretary shall
580 ensure that complaints communicated through the hotline are investigated and resolved in a
581 timely manner.

582 (g) The ombudsperson for each state-operated veterans' home and hotline staff may refer
583 a matter to each other and to any other state agency charged with investigating the specific type
584 of complaint when appropriate. In such a referral, the ombudsperson and hotline staff shall share
585 information only to the extent necessary to complete the referral. If the ombudsperson or hotline
586 staff determine that an act or omission of a state-operated veterans' home adversely affects the
587 health, safety, welfare or rights of a veteran, the ombudsperson or hotline staff shall make
588 specific recommendations for the elimination or correction of the act or omission to the secretary
589 of veterans' services and the superintendent of the respective state-operated veterans' home. If
590 the ombudsperson or hotline staff determine that an act of any state-operated veterans' home
591 may violate an applicable federal or state law, the ombudsperson or hotline staff shall report their
592 findings and conclusions to the regulatory agency that has jurisdiction to enforce the law and to
593 the office of the attorney general.

594 (h) An agency or state-operated veterans' home shall not retaliate against any person
595 who, in good faith, filed a complaint with or provided information to, or had a complaint filed or

596 information provided on their behalf to, the ombudsperson or emergency hotline. An agency or
597 state-operated veterans' home that retaliates against a person in violation of this subsection shall
598 be liable to the person so retaliated against by a civil action for up to treble damages, costs and
599 attorney's fees.

600 (i) The ombudsperson for each state-operated veterans' home and the hotline staff shall
601 receive standardized training regarding their roles and responsibilities. The secretary of veterans'
602 services, in consultation with the executive director of veterans' homes and housing, shall
603 design, and update as needed, an appropriate training program.

604 (j) The ombudsperson and hotline staff shall make available to the public and submit an
605 annual report to the secretary of veterans' services, the joint committee on public health and the
606 joint committee on veterans and federal affairs on their activities, including, but not limited to,
607 summaries of their caseloads, recommendation for any changes to policy or procedures regarding
608 state-operated veterans' homes and efforts to create transparency and accountability at the
609 homes.

610 Section 17. (a) All state-operated veterans' homes shall apply for and maintain
611 certification by the Centers for Medicare and Medicaid Services to participate in the Medicare
612 and Medicaid programs, pursuant to subpart B of 42 CFR 483. The superintendent of each state-
613 operated veterans' home, in coordination with the executive director of veterans' homes and
614 housing, shall ensure that compliance with the requirements of said subpart B of 42 CFR 483 is
615 maintained and that compliance failures are addressed in a timely manner. If any compliance
616 failure is identified during the annual survey conducted by the division of health care facility
617 licensure and certification, the superintendent, in coordination with the executive director, shall

618 submit a report outlining the compliance failure and a plan for corrective action to the governor,
619 the secretary of veterans' services, the secretary of health and human services, the Massachusetts
620 Veterans' Homes Advisory Council and the regional council for the home not later than 30 days
621 after the compliance failure is identified.

622 (b) The superintendent of each state-operated veterans' home, in coordination with the
623 executive director of veterans' homes and housing, shall make every effort to achieve a 5-star
624 rating for staffing from the Centers for Medicare and Medicaid Services. The superintendent, in
625 coordination with the executive director, shall report any quarter that a 5-star rating for staffing is
626 not achieved to the governor, the secretary of veterans' services, the secretary of health and
627 human services, the Massachusetts Veterans' Homes Advisory Council and the regional council
628 for the home not later than 30 days after the publication of the rating. The report shall include,
629 but not be limited to: (i) areas of staffing that require improvement; (ii) a plan for improving
630 staffing with the goal of achieving a 5-star rating; and (iii) if this is not the first such report to be
631 submitted in consecutive quarters, a summary of the steps already taken to improve staffing. .

632 (c) The superintendent of each state-operated veterans' home, in coordination with the
633 executive director of veterans' homes and housing, shall ensure that the home adheres to
634 guidelines for trauma-informed care established by the federal Centers for Disease Control and
635 Prevention.

636 SECTION 72. Section 30A of chapter 149 of the General Laws, as appearing in the 2020
637 Official Edition, is hereby amended by striking out, in line 23 and lines 27 and 28, the words
638 "soldiers' homes in Massachusetts" and inserting in place thereof the following word:- state-
639 operated veterans' homes.

640 SECTION 73. Section 30B of said chapter 149, as so appearing, is hereby amended by
641 striking out, in line 16 and lines 18 and 19, the word “soldiers’ home in Massachusetts” and
642 inserting in place thereof, in e instance, the following word:- state-operated veterans’ homes.

643 SECTION 74. Section 187 of said chapter 149, as so appearing, is hereby amended by
644 striking out, in lines 14 and 15, the words “the Soldiers’ Home in Holyoke, the Soldiers’ Home
645 in Massachusetts” and inserting in place thereof the following words:- a state-operated veterans’
646 home.

647 SECTION 75. Section 47 of chapter 152 of the General Laws, as so appearing, is hereby
648 amended by striking out, in lines 3 and 12, the word “commissioner” and inserting in place
649 thereof, in each instance, the following word:- secretary.

650 SECTION 76. Section 22 of chapter 175 of the General Laws, as so appearing, is hereby
651 amended by striking out, in lines 22, the words “soldiers’ home established by the
652 commonwealth” and inserting in place thereof the following words:- state-operated veterans’
653 home.

654 SECTION 77. Said section 22 of said chapter 175, as so appearing, is hereby further
655 amended by striking out, in lines 24 and 28, the word “soldiers’” and inserting in place thereof,
656 in each instance, the following word:- veterans’.

657 SECTION 78. Section 1 of chapter 176A of the General Laws, as so appearing, is hereby
658 amended by striking out, in lines 29 and 30, the words “the Soldiers’ Home in Massachusetts and
659 the Soldiers’ Home in Holyoke, whereby in consideration of a contract fee, said soldiers’ homes”
660 and inserting in place thereof the following words:- a state-operated veterans’ home, whereby in
661 consideration of a contract fee, the veterans’ home.

662 SECTION 79. Section 2-105 of article II of chapter 190B of the General Laws, as so
663 appearing, is hereby amended by striking out, in lines 4 and 5, the words “the Soldiers’ Home in
664 Massachusetts or the Soldiers’ Home in Holyoke” and inserting in place thereof the following
665 words:- a state-operated veterans’ home.

666 SECTION 80. Said section 2-105 of said article II of said chapter 190B, as so appearing,
667 is hereby further amended by striking out, in line 7, the words “the soldiers” and inserting in
668 place thereof the following words:- the veterans’.

669 SECTION 81. Section 123 of chapter 266 of the General Laws, as so appearing, is hereby
670 amended by striking out, in lines 5 and 6, the words “Soldiers’ Home in Massachusetts, Soldiers’
671 Home in Holyoke” and inserting in place thereof the following words:- a state-operated veterans’
672 home.

673 SECTION 82. Section 22 of chapter 270 of the General Laws, as so appearing, is hereby
674 amended by striking out, in lines 148 and 149, the words “the Soldiers’ Home in Massachusetts
675 located in the city of Chelsea or the Soldiers’ Home in Holyoke” and inserting in place thereof
676 the following words:- or a state-operated veterans’ home.

677 SECTION 83. There shall be an advisory commission to recommend new designations
678 for the Veterans’ Home in the city of Chelsea and the Veterans’ Home in the city of Holyoke.
679 The designations shall be names of veterans of the commonwealth. The commission shall
680 consider recommendations from the general public.

681 The advisory commission shall consist of 9 members: the Department Adjutant of the
682 Disabled American Veterans of Massachusetts or a designee; the State Commander of Veterans
683 of Foreign Wars of Massachusetts or a designee; the Department Commander of the American

684 Legion Department of Massachusetts, Inc. or a designee; the executive director of Massachusetts
685 Fallen Heroes, Inc. or a designee; the executive director of Military Friends Foundation or a
686 designee; the executive director of the Massachusetts Military Heroes Fund, Inc. or a designee;
687 the executive director of the Home Base program or a designee; and the state secretary or a
688 designee.

689 The advisory commission shall have at least 1 public hearing in the city of Holyoke and
690 at least 1 public hearing in the city of Chelsea to seek recommendations for the designation of
691 the homes. The commission shall recommend to the governor and the secretary of veterans'
692 services potential designations for the two veterans' homes and any future state-operated
693 veterans' homes.

694 The advisory commission shall submit its recommended designations to the governor, the
695 secretary of veterans' services, the clerks of the senate and house of representatives and the joint
696 committee on veterans and federal affairs not later than 1 year after the effective date of this act.

697 SECTION 84. All staff employed by the Soldiers' Home in Holyoke between March 1,
698 2020 and June 1, 2020 shall be provided access to the mental health resources that are made
699 available to employees pursuant to subsection (d) of section 15 of chapter 115A of the General
700 Laws.

701 SECTION 85. This act shall take effect upon its passage.