

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Kay Khan***

*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 fair pay for comparable work.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/4/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/8/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/8/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/8/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/9/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/9/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/9/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/9/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/9/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/10/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/10/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/15/2021</i>

**HOUSE . . . . . No.**

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 138 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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

An Act relative to fair pay for comparable work.

*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. Chapter 6A of the General Laws, as so appearing in the 2018 Official  
2 Edition, is hereby amended by adding the following section:-

3

4 Section 105. (a) As used in this section, the following words shall, unless the  
5 context clearly requires otherwise, have the following meanings:

6

7 “Human services provider,” a community-based human services organization with a  
8 human services program funded by the executive office of health and human services, the  
9 executive office of elder affairs or the department of housing and community development.

10

11           “Human services worker,” an employee of a human services provider who provides  
12 treatment, support, or services to clients or their families.

13

14           “Disparity amount,” the monetary calculation of the average difference in salary  
15 between human service workers and direct support workers or other comparable employees  
16 employed by the commonwealth’s state-operated programs for human services.

17

18           “Rate,” the reimbursement rate paid by the executive office of health and human  
19 services, the executive office of elder affairs, the department of housing and community  
20 development or the department of early education and care to a human service provider to  
21 deliver services to clients on the commonwealth’s behalf.

22

23           (b) Notwithstanding any general or special law to the contrary, the executive office  
24 of health and human services, the executive office of elder affairs and the department of housing  
25 and community development shall increase shall increase the rate of reimbursement for human  
26 services providers by an amount that reduces the disparity amount, as defined by subsection (a),  
27 to:

28

29           (1) 50 percent on or before July 1, 2023;

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31 (2) 35 percent on or before July 1, 2024;

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33 (3) 20 percent on or before July 1, 2025;

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35 (4) 5 percent on or before July 1, 2026; and

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37 (5) 0 percent on or before July 1, 2027, and shall remain at 0 percent thereafter.

38

39 (c) All increases in the rate of reimbursement provided for in this section shall be  
40 used to increase the compensation of human services workers.

41 (d) The executive office of health and human services, the executive office of  
42 administration and finance, the executive office of elder affairs, the department of housing and  
43 community development, and the department of early education and care shall adopt regulations  
44 to implement this section.

45

46 (e) Nothing in this section shall be construed to prohibit the elimination of the  
47 disparity amount prior to July 1, 2027.

48 SECTION 2. On or before January 1, 2022, the executive office of health and  
49 human services in conjunction with the executive office of administration and finance, the  
50 executive office of elder affairs and the department of housing and community development, in  
51 collaboration with the Massachusetts Council of Human Service Providers, Inc., shall provide a  
52 report to the senate and house committees on ways and means that includes recommendations to  
53 strengthen recruitment and retention of human services workers, as defined in subsection (a) of  
54 section 105 of chapter 6A of the General Laws, employed by human services providers, as  
55 defined in subsection (a) of section 105 of chapter 6A of the General Laws, that have contracts  
56 with the state.

57

58 SECTION 3. On or before July 1, 2022, and annually thereafter until the disparity  
59 amount is eliminated for human service workers under contract with each agency, respectively,  
60 the executive office of health and human services, the executive office of elder affairs and the  
61 department of housing and community development, in collaboration with the Massachusetts  
62 Council of Human Service Providers, Inc., shall each provide a report to the senate and house  
63 committees on ways and means, the joint committee on children, families and persons with  
64 disabilities, the joint committee on elder affairs, the joint committee on health care financing, the  
65 joint committee on mental health, substance use, and recovery, the joint committee on public  
66 health, and the joint committee on state administration and regulatory oversight that includes the  
67 following information:

68

69 (1) the current disparity amount, as defined in subsection (a) of section 105 of  
70 chapter 6A of the General Laws, between the salaries of human services workers, as defined in  
71 subsection (a) of section 105 of chapter 6A of the General Laws, employed by human service  
72 providers under contract with their department, as defined in subsection (a) of section 105 of  
73 chapter 6A of the General Laws, and direct support workers or other comparable employees  
74 employed by the commonwealth's state-operated programs for human services;

75

76 (2) the amount of annual increases in the rate of reimbursement, as defined in  
77 subsection (a) of section 105 of chapter 6A of the General Laws, to human service providers  
78 under contract with their department necessary to reduce and eliminate the disparity amount by  
79 July 1, 2027 pursuant to the schedule articulated in subsection (b) of section 105 of chapter 6A of  
80 the General Laws;

81 (3) the amount needed to be appropriated annually to achieve the reductions in the  
82 disparity amount described in paragraphs (1)-(5) of subsection (b) of section 105 of chapter 6A  
83 of the General Laws by July 1, 2027; and

84 (4) the implementation of rates necessary to eliminate the disparity amount by  
85 agency, job description and start date of implementation.

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