PROVIDERS' COUNCIL
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January 9, 2026

Secretary Kiame Mahaniah
Executive Office of Health and Human Services
100 Hancock Street, 6th Floor
Quincy, MA 02171

Dear Secretary Mahaniah,

Thank you for the opportunity to provide testimony this afternoon on *101 CMR 15.00: Criminal Offender Record Checks*.

On behalf of the Providers' Council's 220 members across Massachusetts, thank you for your continued support and close working relationship with community-based human services organizations. We appreciate being your partner in providing services to hundreds of thousands of Massachusetts residents with our sector's workforce that fills more than 160,000 jobs.

We will provide brief comments on the timing of this hearing, as well as how these proposed changes would impact providers' ability to hire individuals with lived experience – a hallmark of how these programs have operated since deinstitutionalization for more than 50 years. We will also address the elimination of the CORI waiver system and the institution of mandatory lifetime disqualifications for anyone with specific criminal convictions.

I. Timing of proposed regulation and public hearing

While we do appreciate the Executive Office of Health and Human Services doing a regular review of regulations under its purview, the timing of this proposed regulation and public hearing have made it difficult to discuss with providers and determine impact to consumers, employees, and human services organizations. The public hearing notice was sent the afternoon of Friday, December 19, and organizations had some employees out of the office during the holiday season.

We have just been able to begin discussions with providers this week, and many we spoke with were surprised to learn about the regulations. We did not have any advance notice from EOHHS that these proposed regulations were being published, and we have not had any discussions with human services organizations who were consulted before these regulations were published.

Further, public comment on these regulations is due today – at 5 p.m. on January 9, 2026 – when some providers were unaware of their existence until this week. We've heard this time is too accelerated to assess organizational impact and provide comments.

We would appreciate EOHHS putting this process on hold and instead hosting listening sessions with human services organizations to determine any unintended consequences these new regulations would have. Alternatively, we think the notice for public comment should be extended to no sooner than Friday, January 30 at 5 p.m. to allow providers the opportunity to assess impact and provide written comments to EOHHS about these changes.

II. Concerns about proposed changes

A number of human services organizations plan to submit comments about how the proposed changes would negatively impact their workforce, consumers and organizations, and we wanted to briefly emphasize a few of these issues:

- These regulations have the potential to stop employers from hiring individuals with lived experience in human services programs. Employees with lived experience bring critical insight, credibility and empathy to human services programs, strengthening trust with clients and ensuring services are more responsive to real-world needs. Their perspectives improve engagement and outcomes while advancing equity by valuing community expertise.
- Consumers are often more willing to engage with staff who have lived experience and share in the knowledge of navigating homelessness, recovery, disability or immigration systems. This helps reduce power imbalances that consumers can sometimes feel – and it helps them feel understood rather than judged.
- As one of our members notes: "Stable, meaningful employment is one of the most effective tools we have to reduce recidivism, promote recovery, and strengthen families and communities. Removing access to employment for rehabilitated individuals does not enhance safety – it exponentially increases instability and risk."
- We have questions about the creation of a CORI Review Team which is new and seems to take much of the discretion away from the hiring authority (i.e. human services organizations).
- Language in 15.08 is unclear. It notes six items under (1)(a) that are "mandatory disqualifications," but then notes under (1)(b) that "A Table of Disqualifying Offense listing specific crimes appears at 101 CMR 15.15," which lists several tables. It is not clear if only the "Mandatory Exclusions" table should be referenced or also Table A and Table B.
- The elimination of language in 15.09(5) (previously 15.09(3)) seems to remove the ability of human services organizations to submit a waiver if they wish to hire an individual with a CORI. Language was eliminated that allowed the hiring authority (i.e. a human service organizations) to submit a form requesting they be allowed to hire a candidate. Is this the intent that all

discretion is removed from human services organizations and they no longer are able to request a waiver for candidates?

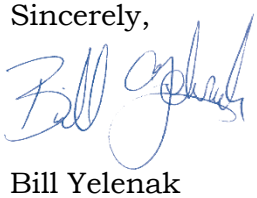
- Some organizations compensate consumers or program participants for sitting on various advisory committees and provide them with a modest paycheck for doing so. Under these regulations, it appears as if this practice would no longer be acceptable, as these consumers are on an organization's payroll for the purposes of receiving a paycheck.
- Another provider notes they have a history of serving people with violent/aggressive behavior who have come into contact with law enforcement over the years, and they have been served successfully in programs. One of the key components of day services is their participation in group supported employment under the constant participation of trained staff. These individuals would automatically lose their ability to work under these new regulations. As this provider put it, the regulation changes "would jeopardize decades of work."

These are simply a few of the issues that human services providers have flagged for us, and as more organizations become aware of these new CORI regulations, we expect concerns to increase. While we appreciate EOHHS' review of regulations and continual desire to improve and refine them, this was published just before the holiday season with advance notice to nor input from providers or associations, and we believe more time is needed to have a full discussion about the negative unintended consequences of these proposed changes.

Closing

We respectfully request all changes be rejected before final adoption. Should EOHHS wish to revise 101 CMR 15.00: Criminal Offender Record Checks, we ask that you enter into a fuller dialogue with the provider community about negative unintended consequences and how this would impact our workforce and consumers whom we serve. Thank you for your time and consideration.

Sincerely,



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