



The Commonwealth of Massachusetts
Disabled Persons Protection Commission

300 Granite Street • Suite 404 • Braintree • Massachusetts • 02184

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NOTICE OF PUBLIC HEARING

The Disabled Persons Protection Commission (“DPPC”) will hold a public hearing on **April 15, 2016 at 10:30 a.m.** at the DPPC’s Office at 300 Granite Street, Suite 404, Braintree, MA 02184, to receive comments with regard to the proposed amendments, pursuant to M.G.L. c. 19C, §3(b), (i), and M.G.L. c. 30A, to the following regulations: **118 CMR 1.00 through 14.00: Disabled Persons Protection Commission:**

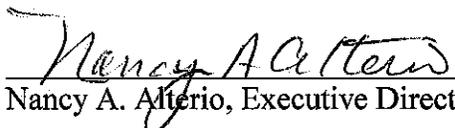
The DPPC performed a complete review of Title 118, and is proposing various amendments to its regulations. These amendments are designed to: clarify or update regulatory terms; revise the regulations to utilize person-first language; remove obsolete and/or duplicative terms or provisions; streamline administrative processes; and better reflect current operating procedures.

Any person interested in commenting on this matter may provide written comments by submitting them electronically to Andrew Levrault, Assistant General Counsel, at: Andrew.Levrault@state.ma.us. Please submit electronic comments as an attached word or .pdf document, or within the body of an email with “118 CMR Proposed Amendments” in the subject line. All submissions must include the sender’s full name and address. The DPPC may post electronic comments that comply with these instructions on its website. Individuals who are unable to submit electronic comments should mail submissions to: Andrew Levrault, Assistant General Counsel, Disabled Persons Protection Commission, 300 Granite Street, Suite 404, Braintree, MA 02184. All comments must be received by **5:00 p.m. on April 15, 2016.**

Please contact the Commission at least 10 days in advance of the hearing date if you wish to request a sign language or other interpreter. Copies of the proposed amendments are available for inspection at the DPPC’s Office, located at the above address, or may be viewed online at: <http://www.mass.gov/dppc/>. The DPPC may adopt a revised version of the proposed regulations taking into account relevant comments and/or other alternatives that may come to the DPPC’s attention.

By Order of the Disabled Persons Protection Commission,

March 10, 2016


Nancy A. Alterio, Executive Director



The Commonwealth of Massachusetts
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March 10, 2016

The Honorable William F. Galvin
Secretary of the Commonwealth of Massachusetts
Regulations Division
State House, Rm. 117
Boston, MA 02133

Re: Amendments to Code of Massachusetts Regulations, Title 118

Dear Secretary Galvin:

Pursuant to M.G.L. c. 30A, §2, an agency must file a Small Business Impact Statement ("Statement") prior to amending any regulation. The Disabled Persons Protection Commission ("DPPC") submits the following Statement with the enclosed Notice of Public Comments for amendments to Title 118.

Title 118 governs the scope of the DPPC's responsibilities as the agency charged with investigating and remediating allegations of abuse of individuals with disabilities between the ages of 18 and 59 as a result of an act or omission by his/her caretaker. The proposed amendments are designed to: clarify or update regulatory terms; revise the regulations to utilize person-first language; remove obsolete and/or duplicative terms or provisions; streamline administrative processes; and better reflect current operating procedures.

1. Estimate the number of small businesses subject to the proposed amendments:

The DPPC's regulations, 118 CMR *et seq.*, are promulgated pursuant to M.G.L. c. 19C, which establishes the DPPC as the agency charged with investigating and remediating allegations of abuse of individuals with disabilities between the ages of 18 and 59 by an act or omission of his/her caretaker. A "caretaker" is currently defined by 118 CMR 2.02 as "any state agency or any individual responsible for the health and welfare of a person with a disability by providing for or directly providing assistance in meeting a daily living need regardless of the location within which such assistance occurs."

Given the scope of the definition of caretaker, the DPPC cannot estimate the number of small businesses subject to the proposed amendment. However, it is not anticipated that these

amendments would regulate any small business not currently subject to the regulations in their existing form.

2. The projected reporting, recordkeeping, and other administrative costs required for compliance with the amendments:

The DPPC cannot estimate the current reporting costs, recordkeeping, or other administrative costs required for a caretaker's compliance with M.G.L. c. 19C or Title 118 CMR. However, given the nature of the amendments, it is not anticipated that these amendments would increase the reporting, recordkeeping, or other administrative costs currently associated with compliance with the regulations in their existing form.

3. The appropriateness of performance standards versus design standards:

Neither performance nor design standards, as the terms are understood by the DPPC, are applicable to matters regulated by the DPPC under M.G.L. c. 19C or Title 118 CMR.

4. An identification of regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

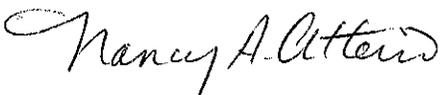
The DPPC is not aware of any regulations which duplicate or conflict with the proposed amendments.

5. An analysis of whether the proposed regulation is likely to deter or encourage the formation of new business in the Commonwealth:

The amendments are unlikely to deter or encourage the formation of new business in the Commonwealth.

I submit this Statement on behalf of the Disabled Persons Protection Commission pursuant to M.G.L. c. 30A, §3.

Sincerely,



Nancy Alterio
Executive Director