

HOUSE No. 70

By Mr. Atsalis of Barnstable, petition of Demetrius J. Atsalis and Cleon H. Turner relative to establishing an office of the family and children's ombudsman. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT ESTABLISHING AN OFFICE OF FAMILY AND CHILDREN'S OMBUDSMAN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 6 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by adding the following section:—

3 Section 214. There is hereby established an office of the family
4 and children's ombudsman under the exclusive supervision and con-
5 trol of a director who shall be appointed by the secretary of health
6 and human services with the approval of the governor. The purpose
7 of the office is to provide an independent voice for families and chil-
8 dren who have been placed under the supervision of the department
9 of social services.

10 The position of director shall be classified in accordance with
11 section 45 of chapter 30, and the salary shall be determined in accor-
12 dance with section 46C of said chapter 30. The director shall devote
13 full time during business hours to the duties of the office. The
14 director shall be authorized, subject to appropriation, to appoint and
15 may remove such assistant directors and such other employees and
16 consultants as may be necessary to perform the functions of the
17 office set forth in section 207. The provisions of chapter 31 shall not
18 apply to the director, to such assistant directors as the director may
19 appoint, or to such supervisory positions as the director may create.

20 The office shall have the following powers: (a) provide an inde-
21 pendent resource for families and children to seek redress of griev-
22 ances with the department; (b) monitor the department's compliance
23 with existing laws, policies and procedures; (c) propose amendments
24 and improvement of existing laws, policies and procedures to pro-

25 mote family preservation and reunification and children's safety,
26 well-being and permanency; (d) serve as liaison among consumers,
27 the department, the general court, the governor and the children's
28 bureau; (e) identify and articulate to the general court, governor,
29 public agencies and the public the needs of these families and chil-
30 dren; (f) provide public information relative to laws and services
31 affecting families and children; (g) oversee the accurate and timeli-
32 ness of the department's reporting of data with regards to those chil-
33 dren, and investigate consumer complaints and recommend to
34 appropriate authorities solutions.