

HOUSE No. 2011

By Ms. Walrath of Stow and Senator Moore, joint petition of Patricia A. Walrath and Richard T. Moore relative to further revising the membership of the Public Health Council. Rules.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT FURTHER REVISING THE MEMBERSHIP OF THE PUBLIC HEALTH COUNCIL.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is forthwith to revise further the mem-
3 bership of the public health council, therefore it is hereby declared
4 to be an emergency law, necessary for the immediate preservation
5 of the public health and convenience.

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 58 of the acts of 2006 is hereby amended by striking
2 out section 5 and inserting in place thereof the following
3 section:—

4 Section 5. Chapter 17 of the General Laws is hereby amended
5 by striking out section 3, as so appearing, and inserting in place
6 thereof the following section:—

7 Section 3. (a) There shall be a public health council to advise
8 the commissioner of public health and to perform other duties as
9 required by law. The council shall consist of the commissioner of
10 public health as chairperson and 14 members appointed for terms
11 of 6 years under this section. The commissioner may designate 1
12 of the members as vice chairperson and may appoint subcommit-
13 tees or special committees as needed.

14 (b) Four of the members shall be appointed by the governor:
15 1 shall be appointed from among the chancellor of the University
16 of Massachusetts Medical School and a list of 3 nominated by
17 said chancellor; 1 shall be appointed from among the dean of the

18 University of Massachusetts Amherst School of Public Health or
19 Health Sciences and a list of 3 nominated by said dean; 1 shall be
20 appointed from among the heads of the non-public schools of
21 medicine in the commonwealth or their nominees; and 1 shall be
22 appointed from among the heads of the non-public schools or pro-
23 grams in public health in the commonwealth or their nominees.

24 (c) Four of the appointed members shall be providers of health
25 services, appointed by the governor: 1 of whom shall have exper-
26 tise in acute care hospital management; 1 of whom shall have
27 expertise in long term care management; 1 of whom shall have
28 expertise in home or community-based care management, and 1 of
29 whom shall have expertise in the practice of primary care medi-
30 cine or public health nursing.

31 (d) Six of the appointed members shall be non-providers:
32 1 shall be appointed by the secretary of elder affairs; 1 shall be
33 appointed by the secretary of veterans' services; 1 shall be
34 appointed by the governor from a list of 3 nominated by Health
35 Care For All, Inc.; 1 shall be appointed by the governor from a list
36 of 3 nominated by the Coalition for the Prevention of Medical
37 Errors, Inc.; 1 shall be appointed by the governor from a list of
38 3 nominated by the Massachusetts Public Health Association; and
39 1 shall be appointed by the governor from a list of 3 nominated by
40 the Massachusetts Community Health Worker Network. When-
41 ever an organization nominates a list of candidates for appoint-
42 ment by the governor under this subsection, the organization may
43 nominate additional candidates if the governor declines to appoint
44 any of those originally nominated.

45 (e) For purposes of this section, "non-provider" shall mean a
46 person whose background and experience indicate that he is quali-
47 fied to act on the council in the public interest; who, and whose
48 spouse, parents, siblings or children, have no financial interest in
49 a health care facility; who, and whose spouse has no employment
50 relationship to a health care facility, to a nonprofit service corpo-
51 ration established under chapters 176A to 176E, inclusive, or to a
52 corporation authorized to insure the health of individuals; and
53 who, and whose spouse, is not licensed to practice medicine.

54 (f) Upon the expiration of the term of office of an appointive
55 member, his successor shall be appointed in the same manner as
56 the original appointment, for a term of 6 years and until the quali-

57 fication of his successor. The members shall be appointed not
58 later than 60 days after a vacancy. The council shall meet at least
59 once a month, and at such other times as it shall determine by its
60 rules, or when requested by the commissioner or any 4 members.
61 The appointive members shall receive \$100 per day that the
62 council meets, and their reasonably necessary traveling expenses
63 while in the performance of their official duties.