

SENATE NO. 1652

AN ACT RELATIVE TO HEALTH INSURANCE ACCESSIBILITY FOR HUMAN SERVICE EMPLOYEES

*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 32A of the General Laws, as appearing in the 2002 Official Edition, is hereby
2 amended in section 2b by inserting after “United States” in line 2 the following:-

3 And a person who is an employee of a vendor which provides human services and which is
4 under contract with any agency within the executive office of health and human services.

5 Chapter 32A of the General Laws, as appearing in the 2002 Official Edition, is hereby
6 amended in section 2c by inserting after “Massachusetts” in line 1 the following:-

7 Or employer of any employee, as defined in Subsection (b).

8 Chapter 32A of the General Laws is hereby amended by inserting after section 10E the
9 following section:-

10 Section 10F. The commission shall negotiate with and purchase on such terms as it deems to be
11 in the best interest of the commonwealth, the vendor employers covered under this section chapter,
12 and the affected employees and their dependents, from one or more insurance companies or non-profit
13 hospital, medical or other service corporations, a policy or policies of group general or blanket
14 insurance providing hospital, surgical, medical, and other health insurance benefits for said agency
15 employees and their dependents. Such policy or policies shall consist of a schedule of hospital,
16 surgical, medical, dental and other health insurance benefits for agency employees and their
17 dependents which shall be unrelated to the schedule of hospital, surgical, medical, dental and other
18 health insurance benefits purchased by the commonwealth under the provisions of section four, or the
19 schedule of hospital, surgical, medical, dental and other health insurance benefits purchased by
20 counties, cities, towns and districts under the provisions of section three of chapter thirty-two B.

21 (a) With respect to any period of insurance which is in effect for the vendor employees and their
22 dependents, the full cost of the insurance shall be borne by the vendor employer and the participating
23 employee. The commonwealth will not be responsible for contributing to the cost of this insurance.

24 (b) The employee's per cent share of the premium shall be withheld by the appropriate employer
25 from the employee's salary on a periodic basis, and shall be forwarded by the responsible official at
26 each vendor employer to the commission in accordance with its rules and regulations.

27 (c) The commission shall determine at least annually, or sooner, the amount of premiums for each
28 health plan which shall be reimbursed to the commonwealth by each contracting agency having
29 employees insured under this section. The commission shall also determine, at least annually, the
30 portion of the commission's expense of administering this hospital, surgical, medical, and other health
31 insurance coverage for the employees of vendor employer for this coverage. After such

32 determinations, the commission shall assess each agency an administrative charge equal to their pro
33 rata share of the cost of administering this program.

34 (d) Any dividend or refund accepted by the commission from any insurance carrier as a result of
35 the contract negotiated under this section shall be deposited by the commission with the state treasurer
36 as provided in section nine. The commission shall determine the amount of dividend or refund
37 apportionable to the various vendor employers having employees insured hereunder, and shall reduce
38 the administrative expenses in section (c) attributable to each such vendor employer by the amount of
39 refund attributable thereto.

40 (e) Each employee of a vendor employer to whom this chapter applies shall furnish the
41 commission, in such form as it shall prescribe, such information as is necessary to insure himself or
42 himself and his dependents under the hospital, surgical, medical, and other health insurance herein
43 provided, and shall authorize the withholding of the appropriate premium from his salary by the
44 appropriate vendor employer.

45 (f) Participation in the health insurance program described in this section is mandatory for
46 vendors which contract to provide human service with the following departments of the
47 Commonwealth: the Commission for the Deaf and Hard of Hearing, the Department of Mental Health
48 , the Department of Mental Retardation, the Department of Social Services, the Department of
49 Transitional Assistance, the Department of Youth Services, the Disabled Persons Protection
50 Commission, the Division of Employment & Training, the Division of Medical Assistance, the
51 Executive Office for Elder Affairs, the Executive Office of Health and Human Services, the
52 Massachusetts Commission for the Blind, the Massachusetts Rehabilitation Commission and the
53 Office of Child Care Services. This section does not apply to individuals or families which contract

54 directly with the Department of Social Services or the Office of Child Care Services to provide foster
55 care or in-home family daycare. This section also does not apply to individuals who enter into
56 contracts with said departments of the Commonwealth as consultants or independent contractors