

118 CMR 10.00: ANNUAL REPORTS

Section

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10.01: Scope and Purpose

118 CMR 10.00 identifies the manner in which the Commission shall make annual reports of its activities to the Governor and the General Court.

10.02: Time and Recipients of Commission Annual Report

The Commission shall report annually to the Governor and the General Court regarding its activities during the previous fiscal year. Said report shall be filed on or about September 15th, and the original shall be presented to the Governor, with copies presented to the President of the Senate and the Speaker of the House of Representatives. Copies shall be filed with the State Library and made available to the public.

10.03: Contents of Commission Annual Report

The annual report may contain:

- (1) statistics of the cases of suspected abuse of persons with disabilities reported to the Commission including, but not limited to, information regarding reporters, referrals made by the Commission, results of and/or actions taken as a result of investigations, and information regarding the delivery of protective services;
- (2) recommendations of the Commission for proposed legislation regarding the protection of persons with disabilities;
- (3) review and analysis of the activities of the Commission's Special Investigation Unit staffed by State Troopers including, but not limited to, the number of criminal cases reported to the Commission, the number of such cases investigated and the type of crimes being committed against persons with disabilities and being reported to the Commission;
- (4) recommendations regarding resource development and unmet needs of persons with disabilities; and
- (5) any other information that the Commission deems relevant to the protection of persons with disabilities.

10.04: Time and Recipients of Annual Registry Audit Report

Annually, the Commission shall perform an audit of the registry to ensure compliance with M.G.L. c. 19C, § 15, including that the Commission added all substantiated findings of registrable abuse to the registry and made proper notification to the department, employers and care providers. A summary of the audit shall be filed not later than October 31st of each year with the clerks of the house of representatives and senate, the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities.

10.05: Contents of Annual Registry Audit Report

The annual registry audit report shall include, in a de-identified and aggregate form:

- (1) the number of substantiated findings of abuse found or not found to have been registrable;

10.05: continued

- (2) the number of people on the registry;
- (3) the number of people who were added to the registry in the last fiscal year;
- (4) the number of substantiated findings of registrable abuse that were appealed in the last fiscal year;
- (5) the number of substantiated findings of registrable abuse that were overturned on appeal in the last fiscal year;
- (6) the number of requests made by employers for information from the registry and the number of such requests that were granted in the last fiscal year;
- (7) the total number of instances in the last fiscal year in which the Commission failed to notify the department or the last known employer of a care provider who was placed on the registry and the reasons for such failures; and
- (8) the number of employers found to have failed to meet the requirements of M.G.L. c. 19C, § 15(d) in the last fiscal year.

REGULATORY AUTHORITY

118 CMR 10.00: M.G.L. c. 19C, §§ 3(b), 15(d) and 15(f).