

MINUTES APPROVED BY THE MANDATED REPORTER COMMISSION

Office of the Child Advocate  
Mandated Reporter Commission Meeting Minutes  
Monday January 11, 2021  
2:00pm-4:00pm

Meeting held virtually via WebEx pursuant to the Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20 signed by Governor Baker on March 12, 2020.

**Mandated Reporter Commission Members Present:**

Maria Mossaides – Child Advocate - Chair  
Andrew Rome – General Counsel, DCF  
Katherine Ginnis – Sr. Director of Child, Youth & Family Policy Program, EOHHS  
Angela Brooks – Dir. Child and Youth Protection Unit, AGO  
Nina Marchese – Director of Approved Special Education Schools, DESE  
Lisa Hewitt – General Counsel, CPCS  
Ann Reale – Undersecretary of Education, EOE  
Anne Conners -- Associate Commissioner for Field Investigations, EEC  
Marian Ryan -- Middlesex District Attorney, MDAA

**OCA Staff:**

Cristine Goldman  
Alix Rivière

MRC= Mandated Reporter Commission  
OCA= Office of the Child Advocate  
DCF= Department of Children and Families  
CPCS= Committee for Public Counsel Services

**Meeting Commenced: 2.02pm**

**Welcome and Introductions:**

Maria Mossaides, Chair of the Mandated Reporter Commission, called the meeting to order and reviewed the agenda. She explained that this meeting is dedicated to discussing the work planning of the Commission for the next six months. Members will vote on the minutes of the previous meeting at the end of this meeting. She thanked members of the public for coming to the meeting and invited them to introduce themselves via the chat function. Cristine Goldman, the OCA's Director of Policy and Legal Counsel, explained that members of the public can participate in the meeting only through using the chat function unless the Chair of the Commission approves verbal participation. Members of the Commission participate verbally and can participate via the chat function.

Before beginning the discussion of the Commission's work planning for the next six months, Chair Mossaides expressed her wish to receive feedback from Commission members on the Status Report filed by the OCA to the Legislature. Additionally, Ms. Goldman explained that she has spoken with

the Division of Open Government at the Office of the Attorney General regarding the Open Meeting Law rules and determined that the MRC is still subject to the Open Meeting Law even though there was no statutory deadline extension for the MRC report to the Legislature.

### **Discussion of Work Planning for the Next Six Months**

Chair Mossaides introduced three items to discuss regarding the Commission's work planning. First, she hoped that members could all agree on the topics that this Commission needs to continue to address. Second, members should discuss how to best request and receive public comment. Third, the Commission should consider how members who represent executive branch agencies will be able to agree on materials to be published for public comment and the final report to be submitted to the Legislature.

Ms. Goldman presented the topics which the Commission is still actively working on developing proposals for consideration:

- Substance Exposed Newborns (SEN) and Plans of Safe Care: The Commission has created a Working Group to discuss a possible two-track system for reporting SEN.
- Employer retaliation claims: The Commission is still working on developing a proposal regarding how these claims may be effectively pursued.
- Training of mandated reporters: The Commission will create a Working Group for members interested in fleshing out the topic.
- Receiving public comment on proposals currently considered by the Commission: Members will have to develop a plan to develop one or multiple documents for public comment, as well as how the public will be notified of a public comment period.

Members also discussed topics that should be included in the document(s) for public comment, including the definitions of neglect and sexual abuse as well as the exclusion of persons who are working on legal defense teams (e.g. social workers).

Members discussed the nature of the documents the Commission will be asked to review and vote on before the public comment period as well as the possible form that a final report to the Legislature might take.

Members then turned to the topic of receiving feedback from professional organizations and the public on the proposals the Commission is considering. The Commission agreed public input would come in two formats: written input and oral input. The Commission would encourage professional entities and organizations provide written input, and encourage individual members of the public, including families whose lives have been impacted by contact with DCF, to provide oral or written input. Members added that it would be necessary to schedule multiple opportunities for oral public comment in order to accommodate work schedules and childcare needs.

The Commission examined a possible model document for public comment, which would describe the proposals before the Commission and provide some analysis of those proposals. Members expressed concern that the document presented is highly technical and detailed and that, although this could be appropriate for certain professional entities or organizations, this format might not be well designed to solicit input from members of the public. The Commission agreed there should be two documents, one that is a simple format that lays out the proposals before the Commission without complex commentary or draft language, and one that is a more complex format that

provides analysis in addition to detailing the proposals. The Commission noted that the simple format document should be translated in languages commonly spoken in the Commonwealth.

Chair Mossaides also noted that the OCA will create an email inbox specifically for the MRC and will utilize it to for the public comment period. She asked members to send the OCA the names and contact information of stakeholders the Commission should specifically reach out to for public comment as well as help publicize the documents for public comment.

The Commission agreed that public hearings would be conducted virtually. The Commission identified that specifics need to be determined such as: virtual hearing format, how to operate sign-up sheets, possible needs for translation or disability accommodation, and how many hearing dates to have.

The OCA will produce model documents for the Commission's review at the next meeting based on what was discussed today, including a simple format document suitable for seeking comment from members of the public and a complex document that combines analysis with specific language proposals.

### **Review and Approval of the December 21, 2020 Meeting Minutes**

Finally, formal discussion was opened on the December 21, 2020 meeting minutes. No Commission Member had any topics for discussion. A vote was held and the following members approved the minutes: Maria Mossaides, Katherine Ginnis, Lisa Hewitt, Angela Brooks, Ann Reale, Andrew Rome, Nina Marchese. The December 21, 2020 meeting minutes were approved.

### **Closing Comments**

Ms. Mossaides expressed the hope that today's meeting clarifies how the Commission will proceed in its work in the next six months. She thanked members for agreeing to continue to meet, which she views as a testament to the Commission's commitment to improving the statute despite the challenging work conditions during this pandemic.

**Adjournment:** 3:25pm