

noreply@formstack.com

Sent:

Friday, July 24, 2015 3:04 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/24/15 3:03 PM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

429 CMR 10.00

General Regulatory Themes::

Elders

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We would like the Governor to name a commission to study and make recommendations on private home care licensure standards. The home care industry needs licensure to protect the seniors who reply on our care. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for our elders.

Terms | Privacy

<noreply+8ac1309d6398d0ba@formstack.com>

Sent:

Monday, July 27, 2015 4:56 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/27/15 4:55 PM

Name (optional)::

Bruce Bender

Company/Organization (if applicable) (optional)::

Hearthside, Inc dba Home Instead Senior Care

Address (optional)::



Primary Phone (optional)::

Email (optional)::



CMR Number (If known)::

429 CMR 10.00

General Regulatory Themes::

Elders

Please list the Agency or Agencies affiliated with this regulation:: •Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation:

Seniors staying in their homes are a particularly vulnerable and rapidly growing population. When the above regulation was amended all state oversight of private-pay home care agencies and independent caregivers ended in MA. Although oversight by the Executive Office of Labor and Workforce was never adequate or appropriate, some mechanism to insure that this rapidly growing industry meets at least minimum standards of quality and safety for seniors and caregivers is necessary.

Suggestions for easing regulatory compliance::

We need an integrated approach to providing oversight for private-pay home care providers that balances the needs of consumers, caregivers and the businesses providing this care. Every senior should be assured that the caregiver coming to their home has adequate supervision and training, that they are insured both for damage that they might do and for worker's compensation, that taxes are being paid among other things. Once good way to do this is by the Governor creating a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

noreply@formstack.com

Sent:

Friday, July 24, 2015 10:31 AM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/24/15 10:31 AM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known)::

429 CMR 10.00

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation::

Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services

When this regulation was amended, it dropped state oversight of private-pay

Executive Office of Labor & Workforce, Executive Office of Elder Affairs,

Describe the regulatory issue or observation:

home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better

Suggestions for easing regulatory compliance::

The Governor should name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

<u>Terms</u> | <u>Privacy</u> Copyright © 2015 Formstack, LLC. All rights reserved.

This is a customer service email.
Formstack, LLC
8604 Allisonville Rd.
Suite 300
Indianapolis, IN 46250

Friday, July 24, 2015 9:17 AM

<noreply+be6eab1eab026c03@formstack.com>

Sent:

RegReform (ANF)

To: Subject:

A Clearer Code: Regulatory Reform

Categories: /

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/24/15 9:17 AM

Name (optional)::

Jane Stankiewicz

Company/Organization (if applicable) (optional)::

Community Nurse Home Care

Address (optional)::



Primary Phone (optional)::

Email (optional)::



CMR Number (If known): :

General Regulatory Themes::

Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

noreply+5c75612579810926@formstack.com>

Sent:

Friday, July 24, 2015 9:52 AIV

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/24/15 9:52 AM

Name (optional)::

Frank Aldrich

Company/Organization (if applicable) (optional)::

Cape Home Care IIc d/b/a Visiting Angels of Cape Cod

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known)::

429 CMR 10.00

General Regulatory Themes::

Elders

Please list the Agency or Agencies affiliated with this

regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance:: We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy



noreply@formstack.com

Sent:

Monday, July 20, 2015 3:48 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/20/15 3:48 PM

Name (optional)::

Timothy Burgers

Company/Organization (if applicable) (optional)::

Home Care Alliance of MA

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known)::

429 CMR 10.0

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation:: Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

noreply@formstack.com

Sent:

Wednesday, July 15, 2015 7:14 AM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/15/15 7:14 AM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known)::

General Regulatory Themes::

Tax and Revenue

Please list the Agency or Agencies affiliated with

this regulation::

Department of Unemployment

Describe the regulatory issue or observation::

Unemployment is completely funded by business

Suggestions for easing regulatory compliance::

Have unemployment be deducted from everyone's

paycheck like soc. sec.

<u>Terms</u> | <u>Privacy</u>



noreply@formstack.com

Sent:

Monday, July 20, 2015 4:20 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/20/15 4:19 PM

Name (optional)::

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

429 CMR 10.00

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation::

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy
Copyright © 2015 Formstack, LLC. All rights reserved.
This is a customer service email.
Formstack, LLC
8604 Allisonalle Rd.

Suite 300 Indianapolis, IN 46250

<noreply+1357f90ee0ebb7b4@formstack.com>

Sent:

Monday, July 20, 2015 3:55 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/20/15 3:54 PM

Name (optional)::

Mary Swift

Company/Organization (if applicable) (optional)::

C W Construction Co., Inc.

Address (optional)::

Primary Phone (optional)::

Email (optional)::

4544 CMR 22.11

CMR Number (If known): :

4044 OWIN 22.11

General Regulatory Themes::

Public Safety

Please list the Agency or Agencies affiliated with this regulation::

Department of Public Safety, OSHA, EPA

Describe the regulatory issue or observation::

Renovation contractors are required to meet this regulation but there is very little direction for us. The regulation mixes lead paint removal contractors with those of us who install replacement windows and other work that would have minor impact on the release of lead particles. We are interested in protecting our workers but are unable to even complete the application due to a lack of clarity on what we are required to do. I believe the Department of Public Safety is also not fully aware of what we need to do, and I assume those of us who would like to properly license ourselves for renovation work are the minority and are overly-burdened trying to get through the voluminous paperwork without much guidance or assistance.

Suggestions for easing regulatory compliance:

Divide out the renovation contractor work from lead removal work. Reduce the license fee to make it more reasonable for contractor's who want to legally do work in the State. Offer more support to let us do that.

Terms | Privacy

<noreply+a8a0a95dfc176e49@formstack.com>

Sent:

Monday, 10, 20, 2015 4:43 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/20/15 4:43 PM

Name (optional)::

Barney Freiberg-Dale

Company/Organization (if applicable) (optional)::

Visiting Angels of Newton & Canton

Address (optional)::

Primary Phone (optional)::

CMR Number (If known): :

Email (optional)::

429 CMR 10.00

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation:: Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. This leaves vulnerable elders open to fraud and various forms of abuse (financial, sexual, physical, psychological) and neglect. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

• We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

<noreply+0426ee5aecd06bf1@formstack.com>

Sent:

Tuesday, July 21, 2015 11:59 AM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/21/15 11:59 AM

Name (optional)::

Joseph Chamberlain

Company/Organization (if applicable) (optional)::

Visiting Angels

Address (optional)::

Primary Phone (optional)::

Email (optional)::

429 CMR 10.00

General Regulatory Themes::

CMR Number (If known): :

Elders

Please list the Agency or Agencies affiliated with this

regulation::

Executive Office of Labor & Workforce **Executive Office of Elder Affairs**

Office of Consumer Affairs & Business Regulation Executive Office of Health and Human Services

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensing standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy



<noreply #b18b8be251f2d659@formstack.com>
Thursday, July 23, 2015, 2:28 BM

Sent:

Thursday, July 23, 2015 2:28 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/23/15 2:27 PM

Name (optional)::

Nathan Constable

Company/Organization (if applicable) (optional)::

Community Health Accreditation Partner

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (if known)::

429 CMR 10.00

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

The Governor should name a commission to study and make recommendations on private home care licensure standards. The formation of a private-pay home care commission will directly addresses the rapid growth in the amount of private-pay home care providers in Massachusetts and the current lack of oversight of these agencies.

Home care agencies, Home Care Alliance of Massachusetts and even accrediting bodies should be at the table to determine the proper direction for ensuring quality care, ethical business practice and consumer protection for vulnerable seniors.

CHAP strongly believes that when the business of care gets better, the care of people gets better. By creating a commission to study and advance standards and oversight governing private-pay home care agencies, the Commonwealth will take the necessary steps to ensure patients and their families receive the highest quality care possible while also creating a level playing field in the

<noreply+e5c7065fe7165429@formstack.com>

Sent:

Thursday, July 23, 2015 2:46 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/23/15 2:46 PM

Name (optional)::

Kathleen Trier

Company/Organization (if applicable) (optional)::

Community VNA

Address (optional)::

Primary Phone (optional)::

Email (optional)::

429 CMR 10.00

CMR Number (If known): :

General Regulatory Themes::

Elders

Please list the Agency or Agencies affiliated with this

regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs.

Office of Consumer Affairs & Business Regulation, Executive Office of Health

and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated in the Commonwealth. And literally, anyone can put up a sign and be in the business of providing private-pay home care services.

Massachusetts consumers, especially elders and disabled individuals, who are often vulnerable to financial or physical abuse, deserve better care and oversight by the state.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts should be involved in determining the proper direction to ensure quality services, ethical business practices and consumer protections for vulnerable seniors.

Terms | Privacy

Copyright © 2015 Formstack, LLC. All rights reserved.

This is a customer service email.

Formstack, LLC

noreply@formstack.com

Sent:

Thursday, July 23, 2015 3:15 PM

廣泛中心體 小战 安宁區

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/23/15 3:14 PM

Name (optional)::

Jennifer Heger

Company/Organization (if applicable) (optional)::

Community Nurse Home Care

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known)::

429 CMR 10.00

General Regulatory Themes::

Building Codes/Accessibility Standards

Please list the Agency or Agencies affiliated with this regulation:: Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation:

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

<noreply+77f88dcf674f5234@formstack.com>

Sent:

Monday, July 27, 2015 3:29 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/27/15 3:28 PM

Name (optional)::

Jori Blumsack

Company/Organization (if applicable) (optional)::

Massachusetts Staffing Association

Address (optional)::

Primary Phone (optional)::

Email (optional):::

CMR Number (If known): :

454 CMR 24.0

General Regulatory Themes::

Other

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor and Workforce Development (EOLWD) Labor and Workforce Development

Describe the regulatory issue or observation::

The Temporary Worker Right to Know Regulations contain provisions that:

- 1. Are confusing and difficult to understand and thereby challenging for businesses to comply; and
- 2. Are onerous and put an overwhelming administrative burden on businesses without providing any real value to those intended to be protected by the regulations.

Suggestions for easing regulatory compliance::

New/amended regulations should be drafted by and put forth to a public forum for comment through an independent body. This body can solicit input on draft regulations from the public (through the public hearings) as well as from the state agencies ultimately responsible for overseeing and enforcing the regulations. This same body would be responsible for considering all the comments in finalizing the regulations. In this way, no one side is favored in the final adopted regulations.

Terms | Privacy

<noreply+5c75612579810926@formstack.com>

Sent:

wednesday, August 19, 2015 3:51 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 08/19/15 3:50 PM

Name (optional)::

Frank Aldrich

Company/Organization (if applicable) (optional)::

Cape Home Care LLC d/b/a Visiting Angels of Cape Cod

Address (optional)::



Primary Phone (optional)::

CMR Number (If known)::

Email (optional)::

429 CMR 10.00

General Regulatory Themes::

Licensing and Permitting

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

Sent:

Friday, October 02, 2015 1:56 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/02/15 1:56 PM

Name (optional)::

Andrew Schneeloch

Company/Organization (if applicable) (optional)::

Right at Home South Shore

Address (optional)::

Primary Phone (optional)::

Email (optional)::

429 CMR 10.00

CMR Number (If known): : **General Regulatory Themes::**

Elders

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services.

<noreply+9a2b4dbd2bf04e9b@formstack.com>

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for improvements to the regulation::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services. ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

•

noreply+8ec474c9abdebf77@formstack.com>

From: Sent:

Friday, October 23, 2015 9:52 AM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/23/15 9:52 AM

Name (optional)::

Herb Harris

Company/Organization (if applicable) (optional)::

Padgett Business Services

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

430 CMR 5.0

General Regulatory Themes::

Doing Business in MA

Please list the Agency or Agencies affiliated with this regulation::

Unemployment.

Describe the regulatory issue or observation::

5.02:

Reporting Requirements, General

(1)

Each employing unit shall comply with the instructions printed on forms issued by the Department.

(2)

An employing unit shall immediately notify the Department of such fact if:

(a)

On some day in each of thirteen weeks in any calendar year it has employed one or more individuals in Massachusetts, or has paid wages in the amount of \$1500 or more in any calendar quarter, or

(b)

It is subject to, or during the preceding calendar year was subject to the provisions of Chapter 23 of the Internal Revenue Code and any amendments thereto, and employed one or more individuals in Massachusetts and its payroll for services performed in Massachusetts is in excess of \$200 in a calendar quarter, or

(c)

It has acquired the organization, trade, business, or assets thereof of another employing unit in whole or in part.

Suggestions for

Employers should be able to register to register to pay Unemployment taxes

improvements to the regulation::

as soon as they know they will have employees. If they wait until they have \$1,500 paid or 13 weeks, it becomes cumbersome. When they set up to collect withholding taxes with the IRS and MA DOR, it makes sense to set up Unemployment at the same time. Most small businesses meet with their accountants to do this work. Waiting would necessitate a second visit to the accountant--more fees and time consumed. Also, if the employer does not have the 13 weeks nor \$1,500, but some payroll, in the first quarter, then it's difficult to file under Quest. (Quest is a whole separate issue that has to be fixed.) They would be penalized for filing the unemployment tax late for that earlier quarter. The other choice would be to file an inaccurate return for the latter quarter by including all wages for both quarters in that one quarter.



noreply+cc5b8f9ec665c42a@formstack.com>

Sent:

Tuesday, October 27, 2015 4:39 AM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 10/27/15 4:39 AM

Name (optional)::

Jonathan Ellis

Company/Organization (if applicable) (optional)::

Address (optional)::

Primary Phone (optional)::

Email (optional)::

CMR Number (If known): :

453 CMR 6.00, 454 CMR 22.00

General Regulatory Themes::

Doing Business in MA

Please list the Agency or Agencies affiliated with this regulation:: Secretary of Administration and Finance Department of Labor Standards

Describe the regulatory issue

or observation::

Under the Romney administration, in July of 2003, fees for both the asbestos and lead program were doubled. It was widely reported that Governor Romney did this in order to close a state budget gap without the need to raise taxes.

Gov. Romney has said the fee increases were about \$240 million in fiscal 2004. While politically expedient, I believe that this unduly and adversely affected the competitive environment in Massachusetts.

Massachusetts asbestos (and lead) fees are significantly higher than neighboring states and the consulting disciplines may be the highest in the nation.

While I do not have the actual figures I believe that a review of the number of Certifications issued the year before and the year after July 1, 2003 would show a precipitous drop in people seeking certification.

Chapter 149, Section 6B states:

No person, firm, corporation or other entity shall enter into, engage in, or work at the business of removal, containment or encapsulation of asbestos or materials containing asbestos, involving any building or structure, including these curred or leased by the comment of the sale of the political.

subdivisions or authorities, unless such person, firm, corporation or entity shall have received a license therefor, issued by the commissioner and in accordance with the provisions set forth in this chapter. The secretary of administration shall determine a fee for such license pursuant to section three B of chapter seven.

The phrase is "work at the business of "Asbestos Abatement (which is -Any activity which has as its principal purpose the removal, enclosure or encapsulation of asbestos or asbestos-containing material,) is used in 6.03(2) for asbestos contractors.

While 6.03 (3) states "All persons who perform the functions of Asbestos Workers and Asbestos Supervisors at worksites where Asbestos Response Actions (which is -Any work operation involving the disturbance of more than three linear feet of friable asbestos on or in pipes, ducts or wires or more than three square feet of friable asbestos on or in structures or components other than pipes, ducts or wires.) are carried out shall be certified pursuant to the applicable sections of 453 CMR 6.06.

Apparently, Contractors get licensed for a different reason than Asbestos workers and supervisors get certified. By statute, all asbestos contractors must be licensed. I believe the Department is allowed discretion in regards to the certification of individuals.

It is my understanding that the Commonwealth/ Department receives funds from EPA to Administer the AHERA program and that these certifications are one of their conditions. If that is correct, I would suggest that the Department adopt a position similar to New Hampshire's Env-A 1810.02 Exemptions. (b) Any individual working only as an asbestos inspector, asbestos management planner, asbestos abatement project designer, or a combination of these, shall be exempt from the licensing requirements of Env-A 1810.12 only if these services are not provided to schools.

Note that the state of New Hampshire does not have Project monitors and this discipline would have to be added.

Alternatively, the Project monitor discipline could be rescinded with the regulations requiring qualified individuals independent of the asbestos contractor rather than a certified project monitor.

Neither Rhode Island nor New Hampshire have this classification of asbestos consultant and their projects manage to meet visual and air clearance requirements.

To be a project monitor in Vermont the initial training courses for Asbestos Project Monitors are the Asbestos Abatement Contractor/Supervisors Training (Section 5.3.1) and the Air Sampling for Project Monitors training (Section 5.3.3.) or courses as described in EPA Asbestos Model Accreditation Plan, 40 CFR Part 763, Subpart E, Appendix C.

As Inspectors, Management planners, Designers and Project Monitors do not "engage in, or work at the business of removal, containment or encapsulation of asbestos or materials containing asbestos," They would not be subject to this statute.

It is my understanding that the Secretary of Administration and Finance ("ANF") has the responsibility of establishing appropriate fees on behalf of all state agencies.

It is my understanding that fees should be commensurate with the cost of providing a service, issuing certification for an Asbestos Consultant discipline at \$600.00 with a \$25.00 surcharge should not cost more than issuing a certificate for an Asbestos Worker at \$50.00 with a \$25.00 surcharge.

Further fully certified Asbestos consultants are disproportionally affected as they need to pay three fees in order to be able to service the needs of their client. (Asbestos Inspector/Management Planner, Project Designer and Project Monitor) which totals \$1875.00 per year. While I myself maintain all these accreditation, I turn down the few and far between work I am offered because a few projects spread out over the course of the year is not worth the \$625.00 Certification fee. Likewise, I think other consultants do the same.

I suspect many persons offer consulting services, (i.e. give advice or interpret regulations) without being certified Management Planners or Designers. I also have a firm conviction, that in general, when an entity has multiple consultants, a fee maybe paid for one or possibly two, but non-certified individuals, who usually have lower billing rates, draft the design or management plan and then the certified individual simply signs the document. While I might be able to justify this as gaining the "experience in the asbestos abatement field" needed for their certification, I believe this practice continues after the requisite experience has been achieved, as a way of managing costs, and is likely accomplished without even being accredited on occasion.

The fee for printing a duplicate certification is \$20.00 and a certification can be had for \$50.00 (worker). This means the administrative cost for entering an individual's information is at most \$30.00. It has been my observation that consultants actually take less effort to process.

Under Section 212 of chapter 184 of the Acts of 2002. a \$25 annual surcharge to those persons licensed or certified individually by the division of occupational safety to perform asbestos abatement services; (Any activity which has as its principal purpose the removal, enclosure or encapsulation of asbestos or asbestos-containing material), It could be argued that the consultant disciplines are not permitted to perform asbestos abatement services and thus should not be subject to the surcharge, if subject to the surcharge they are "separately certified" according to 6.07 rather than individually certified.

Further, Several states offer a discounted fee when the consultant applies for certification in multiple disciplines at one time. I believe the department should adopt this approach as well.

In conclusion, I propose that the department change its certification scheme as follows.

All individual certifications regardless of discipline \$50.00 plus a \$25.00 surcharge.

Multiple certifications \$50.00 for the initial \$20.00 each additional plus a single \$25.00 surcharge.

Thank you

the regulation unduly and adversely affects the competitive environment in Massachusetts;

Suggestions for improvements to the regulation::

Terms | Privacy
Copyright © 2015 Formstack, LLC. All rights reserved.
This is a customer service email.

the same of the sa

Sent:

Monday, November 09, 2015 12:36 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

X

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 11/09/15 12:35 PM

Name (optional)::

Steven Tolman

Company/Organization (if applicable) (optional)::

Massachusetts AFL-CIO

Address (optional)::



Primary Phone (optional)::

Email (optional)::

CMR Number (if known): :

454 CMR 24.00

General Regulatory Themes::

Other

Please list the Agency or Agencies affiliated with this regulation::

Department of Labor Standards

Describe the regulatory issue or observation::

I am submitting these comments in writing as the Listening Session held for 454 CMR 24.00 conflicted with the Massachusetts AFL-CIO's Annual Convention. The Massachusetts AFL-CIO was a proud member of the coalition that helped make the Temporary Workers Right to Know Law a reality. The law provides a common-sense solution to the problems we hear about every day from workers in temporary jobs: it arms them with information. The law ensures that workers know what companies are employing them and how much they should be getting paid. It ensures that they know what kind of specialized equipment or training they might need on the job. This type of basic information is just good business practice. It is what professional employees expect of their staffing agencies. The legislature decided that we should require no less of those staffing agencies that place workers in difficult, dangerous jobs.

As you review the regulations under your jurisdiction pursuant to Governor Baker's Executive Order No. 562, I urge you not to water down the regulations that were so carefully crafted just last year.

In particular, I want to address this idea that any changes to the job order do not need to be in writing. The legislature clearly intended that changes to the job order he in writing. That is the point of the statute. It states that although

the initial job order does not need to be provided in writing until the end of the first pay period, any changes to the job order must be provided immediately. The juxtaposition of these two requirements is clear: unlike the provision of the initial job order, the staffing agency cannot wait until the end of the next pay period to provide changes to the job order in writing – it must do so immediately.

I also want to address the idea that the current regulations require staffing agencies to generate new job orders for trivial reasons. In fact, staffing agencies only need to update the job order when the information required to be provided in the initial job order changes. Every bit of information in those job orders that is "material," is required by statute, and constitutes important information for workers — especially low-wage workers.

Thank you for this opportunity to provide input into the regulatory review process and thank you for your efforts to protect the labor standards of this great Commonwealth.

Sincerely,

Steven A. Tolman President

Suggestions for improvements to the regulation::

knoreply+7bf94cb72e91afeb@formstack.com>

Sent:

RegReform (ANF)

To: Subject:

A Clearer Code: Regulatory Reform

Thursday, July 30, 2015 7:22 AM

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/30/15 7:21 AM

Name (optional)::

Kathy Keough

Company/Organization (if applicable) (optional)::

Atrius Health

Address (optional)::

Primary Phone (optional)::

Email (optional)::

429 CMR 10.00 CMR Number (If known)::

General Regulatory Themes::

Health Care

Please list the Agency or Agencies affiliated with this regulation::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and **Human Services**

Describe the regulatory issue or observation::

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance:: We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Terms | Privacy

ing the street of the street o

Sent:

Thursday, July 30, 2015 4:25 PM

To:

RegReform (ANF)

Subject:

A Clearer Code: Regulatory Reform

Categories:

Red Category

×

Formstack Submission for form A Clearer Code: Regulatory Reform

Submitted at 07/30/15 4:22 PM

Name (optional)::

Mark Friedman

Company/Organization (if applicable) (optional)::

Boston Private Care, LLC d/b/a Senior Helpers Boston

Address (optional)::

Primary Phone (optional)::

Email (optional)::

429 CMR 10.00

CMR Number (If known): :

Elders

Please list the Agency or Agencies affiliated with this regulation::

General Regulatory Themes::

Executive Office of Labor & Workforce, Executive Office of Elder Affairs, Office of Consumer Affairs & Business Regulation, Executive Office of Health and Human Services

Describe the regulatory issue or observation:

When this regulation was amended, it dropped state oversight of private-pay home agency services. There are now literally hundreds of private home care agencies operating unlicensed and unregulated. Massachusetts consumers, especially the elderly, deserve better.

Suggestions for easing regulatory compliance::

We need the Governor to name a commission to study and make recommendations on private home care licensure standards as soon as possible. Home care agencies and the Home Care Alliance of Massachusetts and the Home Care Association of America needs to be at the table to determine the proper direction for quality services, ethical business practice and consumer protection for vulnerable seniors.

Agency participation should be restricted to purely private pay agency on the corporate side, not home health agencies with a private pay line of business.

Terms | Privacy