

HOUSE No. 1220

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to healthcare industry recruitment and education for the 21st Century.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/17/2023</i>
<i>Smitty Pignatelli</i>	<i>3rd Berkshire</i>	<i>1/31/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/2/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/2/2023</i>

HOUSE No. 1220

By Representative Lawn of Watertown, a petition (accompanied by bill, House, No. 1220) of John J. Lawn, Jr. and others for legislation to establish a healthcare industry recruitment and education advisory council. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to healthcare industry recruitment and education for the 21st Century.

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 6A of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by inserting after section 16FF the following section:-

3 Section 16GG. (a) There shall be a healthcare industry recruitment and education
4 advisory council within, but not subject to control of, the executive office of health and human
5 services. The council shall advise the governor and the general court, and shall assist in
6 informing the work of the secretary of education, the secretary of health and human services, the
7 secretary of labor and workforce development and the secretary of housing and economic
8 development on issues relating to the Healthcare Industry Recruitment and Education Fund,
9 hereinafter referred to as the HIRE Fund, pursuant to section 2BBBBBB of chapter 29.

10 (b) The council shall: (i) confer with participants and parties involved with primary and
11 behavioral healthcare planning and programming; (ii) assess how to increase student interest in,
12 and preparation for, careers in primary and behavioral healthcare; and (iii) advise on the creation,

13 implementation of and updates to initiatives that contain clear goals and objectives to guide
14 future efforts of the HIRE Fund, including the creation of benchmarks for improvements.

15 (c) The council shall consist of 23 members. The members of the council shall be
16 appointed by the governor and shall serve without compensation. Council members shall be
17 persons with demonstrated interest, experience and expertise in primary and behavioral
18 healthcare and shall include: the secretary of health and human services, who shall serve as chair
19 out the council and the executive committee, or a designee; the commissioner of the department
20 of mental health, or a designee; the director of health equity, or a designee; the president of the
21 University of Massachusetts Medical School, or a designee; the president of the Massachusetts
22 College of Pharmacy & Health Sciences, or a designee; the dean of Tufts University's School of
23 Dental Medicine, or a designee; a president of a private university or a designee; a president of a
24 public community college or a designee; the president of the Provider's Council, or a designee; a
25 member of the Conference of Boston Teaching Hospitals; a member of the Massachusetts
26 Association of Schools Committees; a member of the Massachusetts Association of Regional
27 Schools; a member of the Massachusetts Association of School Superintendents; a member of
28 the National Association for the Advancement of Colored People; a member of the Union of
29 Minority Neighborhoods; a member of the Massachusetts Cultural Council; a member of the
30 Massachusetts Commission on the Status of Women; a member of the National Association of
31 Social Workers; a member of Local 509, S.E.I.U; a member of Local 1199 S.E.I.U.; a mental
32 health provider; a representative of persons with disabilities and a representative of the elder
33 community

34 (d) The council shall establish an executive committee which shall consist of 9 members
35 who shall provide guidance on the recommendations of the council and plan future meetings and

36 initiatives. The chair shall determine the membership of the executive committee and shall
37 designate subcommittees to focus on particular challenges facing primary and behavioral
38 healthcare education and the primary and behavioral healthcare workforce. The council shall
39 meet at least bimonthly, and at other times as determined by its rules. The executive committee
40 shall meet at such times and places as determined by the chair. The council shall annually submit
41 its findings and recommendations, together with drafts of legislation or regulations necessary to
42 carry those recommendations into effect no later than March 31 by filing the same with the
43 governor and the clerks of the senate and house of representatives.

44 SECTION 2. Chapter 29 of the General Laws, as appearing in the 2020 Official Edition,
45 is hereby amended by inserting after section 2AAAAAA the following section:-

46 Section 2BBBBBB. (a) There is hereby established and set up on the books of the
47 commonwealth a separate fund to be known as the Healthcare Industry Recruitment and
48 Education Fund, hereinafter referred to as the HIRE Fund, to which shall be credited all revenue
49 received from the excise imposed by chapters 63E and 63F; any revenue from appropriations or
50 other monies authorized by the general court and specifically designated to be credited to the
51 fund; any funds from public and private sources such as gifts, grants and donations to further
52 community-based prevention activities; any interest earned on such revenues; and any funds
53 provided from other sources. The secretary of health and human services, as trustee, shall
54 administer the fund, in consultation with the HIRE advisory council established in section 16GG
55 of chapter 6A, The secretary shall, without further appropriation, make expenditures from the
56 HIRE Fund consistent with this section, provided, that the secretary shall annually award not less
57 than 30 per cent of the expenditures from the fund through a statewide competitive grant process
58 to eligible institutions of higher education; kindergarten to grade 12, inclusive, and vocational

59 education institutions; private for-profit and nonprofit organizations providing education and
60 workforce training, 1-stop career centers; local workforce development entities; and any
61 partnership or collaboration between eligible applicants and health care providers for the purpose
62 of financing projects (1) to construct, improve, renovate, enlarge or equip classroom and clinical
63 laboratory facilities to create multi-disciplinary instructional spaces; (2) expand the enrollment
64 capacity of health profession certificate, associate, baccalaureate, masters and doctoral degree
65 programs; and (3) establish faculty pipeline programs to address shortages in full-time and part-
66 time faculty in the health sciences at institutions of higher education. All rules and regulations
67 promulgated by the department shall comply with chapter 30A

68 (b) The public purpose of the HIRE Fund shall be to increase the diversity of the primary
69 and behavioral healthcare workforce by providing mentorship, academic enrichment, leadership
70 development and career exposure to disadvantaged and minority youth. In furtherance of this
71 public purpose, and in a manner consistent with the recommendations of the council, the
72 secretary of health and human services shall employ the HIRE Fund through grants and other
73 disbursements and activities that are calculated to improve educational offerings available in
74 low-income schools or schools districts. The grants and other disbursements and activities may
75 support, without limitation: (i) the development and use of innovative curricula, courses and
76 programs for new teachers and in-service teachers that provide appropriate and culturally
77 competent primary and behavioral healthcare content; (ii) develop a primary and behavioral
78 healthcare network to create, implement, share and make broadly and publicly available the best
79 practices and innovative programs relative to primary and behavioral healthcare and expand
80 student interest in primary care and behavioral healthcare studies; (iii) give priority to grants that
81 provide effective culturally competent course and curricula in low income schools or school

82 districts; and (iv) create summer programs for high school students, with appropriate stipends,
83 that would allow interested and motivated students to intern in private or nonprofit healthcare
84 and behavioral healthcare entities or in public programs that are in a position to further their
85 interest, knowledge and experience in the fields of primary and behavioral healthcare; provided,
86 that priority for the summer programs shall be given to students in groups that are presently
87 underrepresented in these fields including, but not limited to, persons of color, women, and those
88 whose native language is not English.

89 (c) Subject to appropriation from the HIRE Fund, the Massachusetts Academy of
90 Sciences shall partner with the University of Massachusetts medical school and behavioral health
91 providers in the regions being served to establish a program which shall consist of mobile health
92 labs. One mobile lab shall be assigned and designated for each of the following 5 regions:
93 metropolitan Boston, western Massachusetts, central Massachusetts, northeastern Massachusetts
94 and southeastern Massachusetts. The mission of the Massachusetts Academy of Sciences shall be
95 to encourage students to consider careers in primary and behavioral healthcare by participating in
96 enhanced primary and behavioral healthcare courses through the use of the mobile labs.

97 (d) The secretary of health and human services shall, in consultation with the council,
98 promulgate policies, rules and regulations for the administration and implementation of
99 subsections (a) and (b). The secretary shall file any policies, rules and regulations with the joint
100 committee on health care financing, the joint committee on public health, the joint committee on
101 mental health and substance abuse, the joint committee on education, the joint committee on
102 economic development and emerging technologies and the joint committee on labor and
103 workforce development for review and comment at least 30 days before the effective date of the
104 policies, rules or regulations.

105 (e) The secretary of health and human services may incur expenses and the comptroller
106 may certify amounts for payment in anticipation of expected receipts; provided, however, that no
107 expenditure shall be made from the fund which shall cause the fund to be deficient at the close of
108 a fiscal year. Revenues deposited in the fund that are unexpended at the end of a fiscal year shall
109 not revert to the general fund and shall be available for expenditure in the following fiscal year.

110 (f) The secretary of health and human services shall file a quarterly report with the house
111 and senate committees on ways and means, the joint committee on health care financing, the
112 joint committee on public health, the joint committee on education, the joint committee on
113 mental health and substance abuse, the joint committee on economic development and emerging
114 technologies and the joint committee on labor and workforce development on the following: (i) a
115 list of grant recipients, (ii) the associated grant amounts, (iii) the amounts of non-state funding
116 leveraged as a result of the grants, (iv) the purposes of the grants, (v) an annual statement of cash
117 inflows and outflows detailing the sources and uses of funds, (vi) a forecast of future payments
118 based on current binding obligations, and (vii) a detailed breakdown of the purposes and
119 amounts of administrative costs charged to the fund.

120 SECTION 3. Chapter 62C of the General Laws is hereby amended by inserting after
121 section 14 the following 2 sections:-

122 Section 14A. Every independent institution of higher education subject to the excise
123 imposed pursuant to chapter 63E shall, on or before April fifteenth of each year make a return for
124 the preceding taxable year giving such information as the commissioner deems necessary for the
125 computation and collection of the excise imposed pursuant to said chapter.

126 Section 14B. Every private school subject to subject to the excise imposed pursuant to
127 chapter 63F shall, on or before April fifteenth of each year make a return for the preceding
128 taxable year giving such information as the commissioner deems necessary for the computation
129 and collection of the excise imposed pursuant to said chapter.

130 SECTION 4. The General Laws are hereby amended by inserting after chapter 63D the
131 following chapter:-

132 Chapter 63E. Independent Institution of Higher Education Endowment Excise Tax

133 Section 1. As used in this chapter the following words shall, unless the context clearly
134 requires otherwise, have the following meanings:-

135 “Commissioner”, the commissioner of revenue.

136 “Endowment fund“, an established fund of cash, securities, or other assets to provide
137 income for the maintenance of an independent institution of higher education and that are held
138 by the institution, organizations formed and maintained exclusively to further one or more
139 exempt purposes of the institution, and organizations that hold endowment funds for the benefit
140 of the institution; provided, however, that “endowment fund” shall include assets classified as an
141 endowment fund according to the current version of the Accounting Standards Codification of
142 the Financial Accounting Standards Board.

143 "Financial Accounting Standards Board" means the board recognized by the American
144 Institute of Certified Public Accountants and the United States Securities and Exchange
145 Commission to have the authority to set and specify generally accepted accounting principles, or
146 any successor or replacement entity.

147 “Independent institution of higher education”, any institution maintained or conducted by
148 any person, association, partnership, corporation, or trust, other than institutions within the
149 public system of higher education as set forth in section 5 of chapter 15A, chartered, located,
150 offering courses or otherwise doing business within the commonwealth and authorized to grant
151 degrees pursuant to any general or special law.

152 Section 2. Notwithstanding any special or general law to the contrary, every independent
153 institution of higher education in the commonwealth shall annually pay an excise equal to 2 per
154 cent of the aggregate fair market value of the assets held in established endowment funds in the
155 preceding taxable year.

156 Section 3. Every independent institution of higher education shall pay the excise to the
157 commissioner at the time provided for filing the returns required under section 14A of chapter
158 62C.

159 Section 4. All sums received from the excise imposed on a independent institution of
160 higher education pursuant to this chapter shall be credited to the Healthcare Industry Recruitment
161 and Education Fund established pursuant to 2BBBBBBB of chapter 29.

162 Section 5. The commissioner shall promulgate rules and regulations for assessing,
163 reporting, collecting, remitting and enforcing the excise imposed pursuant to this chapter.

164 SECTION 5. The General Laws are hereby amended by inserting after chapter 63E,
165 inserted by section 4 of this act, the following chapter:-

166 Chapter 63F. Private School Endowment Excise Tax

167 Section 1. As used in this chapter the following words shall, unless the context clearly
168 requires otherwise, have the following meanings:-

169 “Commissioner”, the commissioner of revenue.

170 “Endowment fund“, an established fund of cash, securities, or other assets to provide
171 income for the maintenance of private elementary school or private secondary school and that are
172 held by the school, organizations formed and maintained exclusively to further one or more
173 exempt purposes of the school, and organizations that hold endowment funds for the benefit of
174 the school; provided, however, that “endowment fund” shall include assets classified as an
175 endowment fund according to the current version of the Accounting Standards Codification of
176 the Financial Accounting Standards Board.

177 "Financial Accounting Standards Board" means the board recognized by the American
178 Institute of Certified Public Accountants and the United States Securities and Exchange
179 Commission to have the authority to set and specify generally accepted accounting principles, or
180 any successor or replacement entity.

181 “Private elementary school”, a private school providing instruction to grades kindergarten
182 one through five, six, seven, or eight, and, may also include a middle school or other
183 intermediate level school providing instruction to grades five through eight or any combination
184 thereof.

185 “Private school”, any private elementary school or private secondary school maintained
186 or conducted by any person, association, partnership, corporation, or trust and located in the
187 Commonwealth pursuant to any general or special law.

188 “Private secondary school” shall a private school providing instruction to grades six
189 through twelve, or any combination of those grades, except where a school has designated a
190 middle or other intermediate level school providing instruction to grades five through eight, or
191 any combination thereof, as an elementary school.

192 Section 2. Notwithstanding any special or general law to the contrary, every private
193 school in the commonwealth shall annually pay an excise equal to 1 per cent of the aggregate fair
194 market value of the assets held in established endowment funds in the preceding taxable year.

195 Section 3. Every private school shall pay the excise to the commissioner at the time
196 provided for filing the returns required under section 14B of chapter 62C.

197 Section 4. All sums received from the excise imposed pursuant to this chapter shall be
198 credited to the Healthcare Industry Recruitment and Education Fund established pursuant to
199 2BBBBBB of chapter 29.

200 Section 5. The commissioner shall promulgate rules and regulations for assessing,
201 reporting, collecting, remitting and enforcing the excise imposed pursuant to this chapter.