

4565 SECTION 224. Chapter 111 of the General Laws is hereby amended by striking out
4566 section 27D, as so appearing, and inserting in place thereof the following section:-

4567 Section 27D. (a) As used in this section, the following words shall have the following
4568 meanings unless the context clearly requires otherwise:-

4569 “Board of health”, any body politic or political subdivision of the commonwealth that
4570 acts as a board of health, public health commission or a health department for a municipality,
4571 region or district including, but not limited to, municipal boards of health, regional health
4572 districts established pursuant to section 27B and boards of health that share services pursuant to
4573 section 4A of chapter 40.

4574 “Foundational capabilities”, cross-cutting skills and capacities needed to support basic
4575 public health programs and other protections and activities including, but not limited to: (i)
4576 assessment and surveillance; (ii) emergency preparedness and response; (iii) policy development;
4577 (iv) communications; (v) community partnership development; (vi) organizational administrative
4578 competences; (vii) data-driven interventions; or (viii) accountability and performance
4579 management.

4580 “Foundational public health services”, a nationally recognized framework for a minimum
4581 set of public health service, including, but not limited to, public health programs and
4582 foundational capabilities.

4583 “Public health programs”, programs that include, but shall not be limited to: (i)
4584 communicable disease control; (ii) public health nursing services; (iii) epidemiology; (iv) food

4585 and water protection; (v) chronic disease and injury prevention; (vi) environmental public health;
4586 (vii) maternal, child and family health; or (viii) access to and linkage with clinical care, where
4587 applicable.

4588 (b) The department, in consultation with municipalities and other stakeholders, shall
4589 establish a state action for public health excellence program to: (i) provide uniform access for
4590 every resident to foundational public health services; provided, however, that foundational public
4591 health services shall further equity, including for historically underrepresented communities; (ii)
4592 assist boards of health in adopting practices to improve the efficiency and effectiveness of the
4593 delivery of foundational public health services; (iii) develop a set of standards for foundational
4594 public health services across the commonwealth; and (iv) promote and provide adequate
4595 resources for boards of health that shall include, but shall not be limited to: (A) supporting
4596 boards of health to meet the standards established pursuant to clause (iii) and pursuant to
4597 subsection (c) to improve municipal and regional health systems; (B) increasing cross-
4598 jurisdictional sharing of public health programs to strengthen the service delivery capabilities of
4599 municipal and regional public health systems; (C) improving planning and system accountability
4600 of municipal and regional public health systems, including, but not limited to, statewide data
4601 collection and reporting systems; (D) establishing workforce credentialing standards, including,
4602 but not limited to, education and training standards for municipal and regional public health
4603 officials and staff; and (E) expanding access to professional development, training and technical
4604 assistance for municipal and regional public health officials and staff.

4605 (c) The standards for local foundational public health services developed pursuant to
4606 clause (iii) of subsection (b) shall include, but not be limited to: (i) standards for inspections,

4607 epidemiology and communicable disease investigation and reporting, permitting and other local
4608 public health responsibilities as required by law or under regulations of the department or the
4609 department of environmental protection; (ii) workforce education, training and credentialing
4610 standards; and (iii) standards for contributing required data. The standards shall consider
4611 applicable national standards and shall be developed in consultation with local boards of health,
4612 public health organizations, academic experts in the field of public health and members of the
4613 special commission on local and regional public health established in chapter 3 of the resolves of
4614 2016.

4615 (d)(1) Subject to appropriation, boards of health shall implement and comply with the
4616 standards developed pursuant to subsections (b) and (c), individually or through cross-
4617 jurisdictional sharing of public health programs in the form of comprehensive public health
4618 districts, formal shared services or other arrangements for sharing public health programs.

4619 (2) Annually, not later than August 31, boards of health shall submit a report to the
4620 department, which shall include information demonstrating compliance with the standards
4621 pursuant to subsections (b) and (c) during the preceding fiscal year.

4622 (e) Subject to appropriation, the department and the department of environmental
4623 protection shall, according to each agency's jurisdiction and authority, provide comprehensive
4624 core public health educational and training opportunities and technical assistance to municipal
4625 and regional public health officials and staff to support such officials in obtaining credentials and
4626 foundational capabilities required by the standards developed pursuant to subsections (b) and (c);
4627 provided, however, that such educational and training opportunities and technical assistance shall

4628 be offered in diverse geographic locations throughout the commonwealth or online. The
4629 department and the department of environmental protection may contract with other state
4630 agencies or external entities to provide said educational and training opportunities and technical
4631 assistance and shall provide such training opportunities and technical assistance free of charge.

4632 (f)(1) Subject to appropriation, the department shall provide funds to boards of health to
4633 implement and comply with the standards developed pursuant to subsections (b) and (c),
4634 including through cross-jurisdictional sharing of public health programs in the form of
4635 comprehensive public health districts, formal shared services and other arrangements for sharing
4636 public health programs.

4637 (2) The funds under this subsection may be used to provide:

4638 (i) grants and technical assistance to municipalities that demonstrate limited operational
4639 capacity to meet local public health responsibilities as required by law or regulations;

4640 (ii) competitive grants to increase the efficiency and effectiveness of the delivery of
4641 public health programs across not less than 2 municipalities through:

4642 (A) expanding shared services arrangements to include more municipalities;

4643 (B) expanding shared services arrangements to provide a more comprehensive and
4644 equitable set of public health programs or sustainable business model; or

4645 (C) supporting new cross-jurisdictional sharing arrangements; provided, however, that
4646 grants provided pursuant to this clause shall supplement and shall not replace existing state,
4647 local, private or federal funding to boards of health and regional health districts; provided

4648 further, that boards of health shall apply for funds pursuant to this clause in a manner determined
4649 by the department; provided further, that the application shall include, but not be limited to: (I) a
4650 description of how the applicant will increase the efficiency and effectiveness in the delivery of
4651 public health programs; (II) certification by the applicant that, at the time of the application, the
4652 applicant meets or will use funding to meet workforce standards as determined by the
4653 department; (III) certification that the applicant shall submit written documentation on the
4654 implementation of systems to increase efficiency in providing local public health programs,
4655 including data, to the department in a manner to be prescribed by the department; and (IV) the
4656 applicant's plan for the long-term sustainability of strengthening local public health programs;
4657 provided further, that the department shall adopt rules, regulations or guidelines for the
4658 administration and enforcement of this clause including, but not limited to, establishing applicant
4659 selection criteria, funding priorities, application forms and procedures, grant distribution and
4660 other requirements; and provided further, that not less than 33 per cent of the grants awarded
4661 shall be distributed to municipalities with a median household income below the median income
4662 of the commonwealth; and

4663 (iii) annual noncompetitive funding to ensure that all residents of the commonwealth are
4664 provided with foundational public health services that meet or exceed the standards set pursuant
4665 to this section; provided, however, that funds provided pursuant to this clause shall be distributed
4666 based on the level of implementation of the standards established in this section and using a
4667 formula based on population, level of cross-jurisdictional sharing and sociodemographic data;
4668 provided further, that to receive funding pursuant to this clause, a board of health shall submit an
4669 annual report to the department and the department of environmental protection that: (A)

4670 demonstrates progress or implementation of the standards; and (B) confirms that funding
4671 provided pursuant to this clause shall supplement and shall not replace existing state, local,
4672 private or federal funding to boards of health and regional health districts; provided further, that
4673 the report shall not require data that is otherwise reported to the department under subsection (d);
4674 provided further, local governments shall be granted relief from the department for good cause,
4675 including, but not limited to economic or fiscal hardship; and provided further, that data
4676 demonstrating implementation and compliance with the standards shall be submitted in a form
4677 prescribed by the department.

4678 (g) Subject to appropriation, the department shall develop a system to provide for
4679 increased standardization, integration and unification of public health reporting and systems for
4680 the measuring of standard responsibilities of boards of health including, but not limited to,
4681 inspections, code enforcement, communicable disease management and local regulations. The
4682 system shall be developed in coordination with the department of environmental protection. If
4683 feasible and in compliance with state and federal privacy requirements, the data and an analysis
4684 of the data shall be available on the department's website; provided, however, that any such
4685 published data shall exclude personal identifying information.

4686 (h) Annually, the department shall estimate the amount of funds necessary to meet the
4687 requirements of this section for the upcoming fiscal year. The department shall report the
4688 estimate to the secretary of administration and finance and the house and senate committees on
4689 ways and means for the upcoming fiscal year in advance of the day assigned for submission of
4690 the budget by the governor to the general court pursuant to section 7H of chapter 29 and shall

4691 publish the estimate on the department's website.

4692 (i) If an outbreak of a disease or health care situation important to the public health
4693 occurs, as determined by the commissioner or the commissioner of environmental protection,
4694 affecting more than 1 board of health, the department may coordinate the affected boards of
4695 health, assemble and share data on affected residents and organize the public health response
4696 within and across the affected communities.

4697 (j) Biennially, not later than December 1, in every even numbered year, the department,
4698 in consultation with the department of environmental protection, shall submit a report detailing
4699 the impact of the state action for public health excellence program established in subsection (b),
the status of the local public health programs and their ability to meet the requirements of this
section including, but not limited to: (i) the number of board of health and regional health district
officials and staff that meet workforce standards as determined by the department; (ii) the
number of board of health and regional health district officials and staff that attended educational
and training opportunities; (iii) the number of boards of health and regional health districts that
are in compliance with data reporting requirements of this section; and (iv) the number of
municipalities participating in regional public health collaborations. In preparing the report, the
department shall consult with the department of environmental protection. The report shall be
filed with the clerks of the house of representatives and the senate, the house and senate
committees on ways and means and the joint committee on public health and be publicly posted
on the websites of the department and the department of environmental protection.

(k) Notwithstanding any general or special law to the contrary, if the commissioner, the

commissioner of environmental protection or their authorized representatives determine that failure to meet standards established in subsections (b) and (c) in a timeframe consistent with the timeframe established in subsection (d) constitutes a threat to public health, they shall, in writing, notify the appropriate board of health of such determination and request that the board of health, in writing, notify the department of actions taken to effect appropriate protection. If the commissioner is not so notified or, if after notification, the commissioner determines the such actions are not sufficient to protect public health, the department may restrict future funding provided under clause (iii) of subsection (f) and shall report these insufficiencies in its report issued under subsection (j).

(l) Nothing in this section shall limit the authority or responsibility of a board of health as otherwise established pursuant to the General Laws including, but not limited to, section 127A.

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6809 SECTION 307. (a) Not later than 1 year after the effective date of this act and before the
6810 adoption of any regulations for the administration of the state action for public health excellence
6811 program pursuant to section 27D of chapter 111 of the General Laws, the department of public
6812 health shall hold not fewer than 3 public hearings in diverse geographic locations throughout the
6813 commonwealth or online to identify ways to improve the efficiency and effectiveness of the
6814 delivery of local public health services, in alignment with the recommendations of the special
6815 commission on local and regional public health established in chapter 3 of the resolves of 2016.

6816 (b) Not later than March 31, 2025, the department of public health shall submit a report to
6817 the clerks of the house of representatives and the senate, the house and senate committees on
6818 ways and means and the joint committee on public health. The report shall include an analysis of
6819 needs, opportunities, challenges, timeline and cost for the implementation of section 27D of said
6820 chapter 111.

6821 SECTION 308. The special commission on local and regional public health established in
6822 chapter 3 of the resolves of 2016 is hereby revived and continued to December 31, 2025. As
6823 soon as practicable following the effective date of this act, the department shall convene the
6824 special commission at least once to review the amendments to section 27D of chapter 111 of the

6825 General Laws and funding available to support and enhance the commonwealth's local and
6826 regional public health system.

6827 SECTION 309. The standards for foundational public health services developed pursuant
6828 to subsections (b) and (c) of section 27D of chapter 111 of the General Laws shall be consistent
6829 with the recommendations of the report approved in June 2019 by the special commission on
6830 local and regional and public health established by chapter 3 of the resolves of 2016, and shall be
6831 implemented and complied with by a phased schedule adopted by the department of public
6832 health. The department of public health shall publish a list of the local public health standards
6833 established pursuant to said subsections (b) and (c) of said section 27D of said chapter 111 not
6834 later than 90 days following the effective date of this act.