

HOUSE No. 2964

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 28, 1954.

The committee on Ways and Means, to whom was referred so much of the thirteenth report of the special commission established to examine the structure of the state government relative to state agencies and functions in the field of public health (House, No. 200) as relates to the organization of the Department of Public Health (App. A), report the accompanying bill (House, No. 2964).

For the committee,

J. ROBERT AYERS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

AN ACT RELATIVE TO THE ORGANIZATION OF THE DEPARTMENT OF PUBLIC HEALTH.

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 17 of the General Laws is
2 hereby amended by striking out section 4, as most
3 recently amended by section 1 of chapter 725 of the
4 acts of 1941, and inserting in place thereof the follow-
5 ing section: —

6 *Section 4.* There shall be in the department such
7 bureaus, each with such divisions and other adminis-
8 trative units, as the commissioner may, with the ap-
9 proval of the public health council, from time to time
10 determine; and from time to time the commissioner
11 may, with like approval, establish and attach to his
12 office or to the office of the deputy commissioner of
13 public health any necessary administrative unit or
14 units which may not be feasibly placed within any
15 bureau. The Lemuel Shattuck hospital, Pondville
16 hospital and the state sanatoria at Lakeville, North
17 Reading, Rutland and Westfield shall also be in the
18 department.

1 SECTION 2. Said chapter seventeen is hereby fur-
2 ther amended by striking out section five A.

1 SECTION 3. Said chapter 17 is hereby further
2 amended by striking out section 6, as most recently
3 amended by section 2 of said chapter 725 of the acts
4 of 1941, and inserting in place thereof the following
5 section: —

6 *Section 6.* The commissioner may, with the ap-
7 proval of the public health council, appoint a director
8 of each division in the department, assistant division
9 directors and epidemiologists and the commissioner
10 may appoint other necessary employees. Persons so
11 appointed shall be subject to chapter thirty-one. In
12 addition the commissioner may, with the approval of
13 the said council, appoint a treasurer of the Lemuel
14 Shattuck hospital, the Pondville hospital and of each
15 state sanatorium, each of whom shall give bond for
16 the faithful performance of his duties, and physicians
17 assistants and employees necessary for the proper
18 administration of the said institutions; and he may
19 incur all expenses necessary for the maintenance of
20 the said institutions.

1 SECTION 4. Said chapter 17 is hereby further
2 amended by striking out section 8, as appearing in
3 the Tercentenary Edition, and inserting in place
4 thereof the following section:—

5 *Section 8.* The division of sanatoria shall include
6 the Lemuel Shattuck hospital, the Pondville hospital,
7 and the state sanatoria at Rutland, North Reading,
8 Lakeville and Westfield.

1 SECTION 5. Said chapter seventeen is hereby fur-
2 ther amended by striking out section nine.

1 SECTION 6. Section 3 of chapter 111 of the General
2 Laws, as most recently amended by chapter 152 of
3 the acts of 1946, is hereby further amended by strik-
4 ing out the last sentence and inserting in place thereof
5 the following sentence:—Hearings of the depart-
6 ment may be held by the commissioner, or by the
7 deputy commissioner, or any other employee of the
8 department if so authorized by the commissioner and
9 council.

1 SECTION 7. Section 63 of said chapter 111, as
2 appearing in the Tercentenary Edition, is hereby

3 amended by inserting after the word "of", in line 2,
4 the words:— Lemuel Shattuck hospital, Pondville
5 hospital and.

1 SECTION 8. Section 64 of said chapter 111, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by striking out, in line 3, the words "sana-
4 torium under" and inserting in place thereof the
5 words:— institution in, — and by striking out, in
6 line 5, the word "sanatorium" and inserting in place
7 thereof the word:— institution, — and by striking
8 out, in line 7, the word "sanatorium" and inserting
9 in place thereof the words:— such institution.

1 SECTION 9. Nothing in this act shall be construed
2 to impair the status, seniority, retirement or other
3 rights of any permanent civil service employee, or of
4 any veteran covered by section nine A of chapter
5 thirty of the General Laws, employed on the effective
6 date of this act by the department of public health,
7 the Lemuel Shattuck hospital, Pondville hospital or
8 the state sanatorium at Lakeville, North Reading,
9 Rutland or Westfield; provided, however, that to
10 staff initially the said department as reorganized by
11 this act, any such employee may be transferred to any
12 position in the said department as so reorganized;
13 provided further, however, (a) that the employee's
14 salary shall not be reduced as a result of such transfer,
15 (b) that without the approval of the director of civil
16 service and the director of personnel and standardi-
17 zation the employee shall not, as the result of such
18 transfer, be placed in a position of higher salary grade,
19 and (c) that without the employee's consent such a
20 transfer shall be made only if, in the judgment of the
21 said director of civil service, the employee shall be
22 able to perform satisfactorily the duties of the posi-
23 tion to which the transfer is to be made.

1 SECTION 10. This act shall take effect on July first,
2 nineteen hundred and fifty-four.