AN ACT REORGANIZING THE DEPARTMENT OF PUBLIC WELFARE AND ADMINISTRATION OF THE PUBLIC WELFARE SYSTEM OF THE COMMONWEALTH.

WHEREAS, The deferred operation of this act would tend to defeat its purpose, which is to reorganize the department of public welfare of the commonwealth and to provide for direct administration of and full payment for all public welfare programs by the commonwealth, to establish community service centers throughout the commonwealth to administer public welfare programs, and to allow the commonwealth to take the maximum advantage of federal assistance to public welfare programs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

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. The General Laws are hereby amended by striking out Chapter 18 and inserting in place thereof the following chapter: —

4 CHAPTER 18
5 DEPARTMENT OF PUBLIC WELFARE
6 Section 1. There shall be a department of public welfare in this chapter called the department.
8 Section 2. (A) As used in this chapter, the phrase "comprehensive public welfare program" shall include a broad range of specific service. In some areas certain of these
services may be supplied through regional offices of the department or by other public or voluntary agencies and organizations. Cooperative arrangements providing for ready referral and for purchase of service, when appropriate, can assure that families and individuals receive the needed service. In other areas these services may not be available and the centers themselves shall develop and administer them as needed. The specific services shall include:

1. case work or counseling including social services to families or individuals; the provision of financial assistance to those in economic need and the determination of eligibility for the categorical public assistance provided under the Federal-State programs; care and rehabilitation of the aging; comprehensive family and child welfare services; referral for health services and medical care; and other forms of social welfare service to families and individuals as needed;

2. protective services for children, unmarried mothers, the aging, and other adults;

3. legal services as they relate to social problems;

4. foster family care for children, the aging, the disabled and the handicapped;

5. adoption services;

6. homemaker services;

7. day care facilities and services for children, the aging, the disabled and the handicapped;

8. residential care of dependent, disturbed, maladjusted or handicapped children or aging persons not suited to foster family care;

9. sheltered work for the disabled and the handicapped;

10. informal education and group activities as needed for families, children, the aging, the disabled and the handicapped;

11. training in responsible parenthood and home management for parents and for prospective parents;

12. social services for newcomers to an area or community to assist in adjustment to a new environment and new resources;
(13) information and referral services.

In order that these social services shall be adapted, organize and coordinated to meet the needs of certain population groups, each community service center shall provide programs of service to:

Families, children and unmarried parents. This program shall, among other objectives, serve to assist, strengthen and encourage family life for the protection and care of children, resources to this end, and provide substitute care of children only when the family itself or the resources available to the family are unable to provide the necessary care and protection to insure the rights of any child to sound health and normal physical, mental, spiritual and moral development.

The aging and other adults in need of social, financial, legal, health, rehabilitation, employment, or other services.

Other population groups requiring special adaptation of the services provided because of special needs.

(B) The department shall serve as the principal agency of the government of the Commonwealth to:

(a) formulate the policies, procedures and rules necessary for the full and efficient implementation of programs authorized by the laws of the Commonwealth and federal laws in the area of public welfare;

(b) administer the services, funds and personnel necessary for public welfare programs at all levels of government in the Commonwealth;

(c) establish and promote the development of the highest standards of public welfare service to the people of the Commonwealth;

(d) provide the range of public welfare services on a fair, just and equitable basis to all people in need of such services;

(e) provide throughout the Commonwealth a single comprehensive public welfare program administered by the department and made readily available and accessible through community service centers and their branches.
and outposts, as necessary, to meet the social welfare needs of the people living in the areas served by such centers.

(f) collaborate, through agreement, contract, or otherwise, with other departments of the State government that have been given primary responsibility by the General Court or the Governor in fields related to social welfare and with voluntary or private agencies or organizations to assure the most efficient and high quality health, mental health, social, educational, correctional, and employment services possible for persons who are unable for social or economic reasons to provide such services for themselves;

(g) study the social and economic problems and welfare services in the commonwealth and make recommendations to the appropriate branches and agencies of government for broadening and improving the scope and quality of these services.

Section 3. The department shall be under the direction, supervision and control of a commissioner of public welfare, in this chapter referred to as the commissioner. The commissioner shall be the executive and administrative head of the department. The commissioner shall be appointed by the governor for a term of five years. He shall, at the time of his appointment, be qualified by having received a master's degree from an accredited graduate school of social work, by having professional experience of not less than ten years in the practice of social work at least five of which shall have been as an administrator, and by having an established record of high character and qualities of leadership. He shall receive such salary, not exceeding twenty-five thousand dollars as the governor may determine, and shall devote his full time during business hours to the duties of his office.

Section 4. The commissioner shall appoint a deputy commissioner and may appoint such assistant commissioners as the commissioner shall from time to time determine, not to exceed five in number, who shall be assigned areas of responsibility to be specified by the commissioner, one of whom shall be responsible for administration, and one for research and
121 planning. The deputy commissioner and each assistant com-
122 missioner shall possess qualifications of character and ability
123 similar to that required of the commissioner and shall have
124 had training and experience which have suitably prepared
125 them for the work of their respective offices. The deputy com-
126 missioner and each assistant commissioner shall serve at the
127 pleasure of the commissioner and shall devote their full time
128 business hours to the duties of their respective offices. The
129 deputy commissioner shall receive an annual salary not ex-
130 ceeding twenty-two thousand dollars and the assistant com-
131 missioners shall each receive an annual salary not exceeding
132 eighteen thousand dollars, as determined by the commissioner.
133 If the office of the commissioner shall become vacant, the
134 deputy commissioner shall discharge the duties and have the
135 powers of the commissioner. During the absence or disability
136 of the commissioner, the deputy commissioner shall discharge
137 the duties and have the powers of the commissioner; and,
138 if the office of the deputy commissioner is vacant or if the
139 deputy commissioner is absent or disabled at the same time as
140 the commissioner, any assistant commissioner designated by
141 the commissioner shall discharge the duties and have the
142 powers of commissioner. The deputy commissioner and each
143 of the assistant commissioners shall give a bond to the state
144 treasurer for the faithful performance of his duties in such
145 sum as the comptroller may prescribe.

146 Section 5. The commissioner shall establish such divisions,
147 bureaus, sections or other offices within the department as he
148 shall from time to time determine necessary or proper for the
149 efficient and economical administration of the comprehensive
150 public welfare program.
151 The commissioner shall establish regional offices of the
152 department at such locations in the Commonwealth as he
153 may deem necessary for supervising the department’s system
154 of community service centers to ensure the development and
155 maintenance of effective administration and services therein.
156 Such regional offices shall assist the community service centers
157 in enlisting the interest and participation of the people in the
158 areas.
The commissioner shall establish community service centers which shall be the principal unit through which the department shall administer public welfare programs. The purpose of these centers shall be to provide the broad social services as set forth in Section 2(A) and make them readily available to the families, children, the aging, the disabled and the handicapped resident in the area covered. Each center shall provide opportunities for involvement of residents of the area in the work of the center and for representation on Center Advisory Boards to be established under Section 6(B) of this Chapter.

The community service centers shall be of sufficient number to be readily accessible to people in local communities throughout the Commonwealth. They shall have branch offices or outpost centers if necessary to ensure their ready accessibility. The number and location of such community service centers and their branches and out-posts shall be determined by the commissioner after consultation with the State Advisory Board established under Section 6(A) of this chapter.

Each community service center shall be under the administration, supervision and control of a center director appointed by the commissioner who shall be qualified by having received a master’s degree from an accredited graduate school of social work, by having professional experience of not less than five years as an administrator or supervisor of social welfare programs, and by having an established record of high character and qualities of leadership. These qualifications may be waived by the commissioner with the approval of the Advisory Board for the initial appointment of the director of each community service center but all subsequent appointments shall meet the qualifications stated in this section.

The commissioner shall prepare and keep current a general statement of the organization of the department, of the assignment of functions to its administrations units, offices and employees, and of the established places at which and the methods whereby the public may receive information, make requests and receive services. Such statement shall be known as the department’s description of organization. A current copy of the description of organization shall be on file in the office of
the state secretary, in the executive office for administration and finance, and in the office of the commissioner.

Section 6(A). There shall be in the department a State Advisory Board consisting of the commissioner, who shall serve ex-officio and who shall not be entitled to vote on any matter before the Board, and fifteen members to be appointed by the Governor after consultation with the commissioner, for terms of three years each, except that, of the first appointed members, five shall be appointed for a term of one year, five for a term of two years and five for a term of three years. At least three members of the Board shall be members of community service center boards.

Persons appointed to the said State Advisory Board, other than the commissioner, shall not be employees or consultants of the department, and shall have demonstrated notable interest and continuous concern in the areas of responsibility imposed upon the department by law or shall have had professional or other special experience in connection with health and welfare programs.

The Board shall meet at least four times a year upon call of the chairman, who shall be designated by the governor after consultation with the commissioner, and shall meet at any time upon call of the governor or the commissioner.

The function of the Board shall be to give advice and make recommendations to the commissioner on matters affecting the department or welfare programs or needs generally. In carrying out this function, the Board shall consider questions of public policy and submit reports to the governor whenever appropriate or indicated, with at least one report annually and shall maintain close communication with the community service center boards referred to in Section 6(B). In its reports to the governor, the Board may propose legislation and present material for the education of the public.

The members of the Board shall receive no compensation for their services but shall be reimbursed for expenses necessarily incurred in rendering such service.

Section 6(B). To assure effective citizen participation in the
work of the community service centers, there shall be estab-
lished for each such center a community service board, the
members of which shall be appointed by the Commissioner,
with the approval of the Governor, for terms of three years
each on a rotating basis. Each board shall consist of not less
than fifteen nor more than thirty members. When first ap-
pointed one third of the members shall be appointed for three
years, one third for two years, and one third for one year.
Vacancies occurring before the expiration of a term shall be
filled for the unexpired term. Thereafter new appointments
shall be made by the commissioner from lists of nominees
prepared by the community service center board, containing
at least twice as many names as positions to be filled of persons
with qualifications that will maintain the distribution of in-
terests broadly representative of the various segments of the
population in the area served. No member shall serve more
than two consecutive three-year terms.

Prior to the establishment of the board the commissioner
shall consult with local leaders from cities and towns in the
area covered by the community service center for suggestions
as to persons with primary concern for the interests and prob-
lems of the area. The membership of community service cen-
ter boards shall include persons with primary concern for the
social welfare, health, education and related needs of the
people of the area served. The membership shall include
recognized community leaders in these fields of interest, pro-
fessional and non-professional; persons involved in the work
of voluntary agencies of the area and concerned with inter-
relationship between public and private programs; and re-
cipients of service provided by the community service center.
Among the members there shall be persons who are residents
of as many of the various cities and towns of the area served
as is practicable. Persons appointed as members of the board
shall not be employees or consultants of the department. The
Center Director shall be a member of the board ex-officio and
shall not be entitled to vote.

The community service boards shall meet at least six times a
year upon call of their chairmen, the respective director of the
The duties and responsibilities of the community service center shall be:

1. to act in the interest of the citizens of the area served by the center;

2. to advise the director of the center, the commissioner and the State Advisory Board on the needs and resources of the area served on steps that should be taken to increase the effectiveness of the public welfare program in the area the quality of care and service given to the people of the area, and the working relationships between the public and voluntary agencies working in the area:

3. to advise the commissioner of public welfare in the selection of the director of the community service center;

4. to review and make recommendations to the director of the center regarding the annual plan and budget for the public welfare program provided by the community service center with a view to its comprehensiveness and steps that may be taken to ensure the provisions, as practicable, of the comprehensive program set forth in section 2 of this chapter; to advise on priorities in the development of program for the area;

5. to make an annual report to the State Advisory Board, to the commissioner and the director of the center;

6. to receive and administer in separate trusts any funds granted, given, or bequeathed to its use in the interest of the area program or for a special purpose as indicated in the gift, grant, or order or decree of a court.

The members of the community service center boards shall receive no compensation for their services but shall be reimbursed for expenses necessarily incurred in rendering such service.

Section 7. The provisions of section nine A of chapter thirty and the provisions of chapter thirty-one shall not apply to the offices of commissioner, deputy commissioner or assistant com-
missioners. In any instance in which an employee of the com-
monwealth or of a political subdivision as defined in section
one of chapter thirty-two shall be appointed to the office of
commissioner, deputy commissioner or assistant commissioner,
he shall upon termination of his service in such office be re-
stored to the position which he held immediately prior to such
appointment. In every instance, such restoration shall be made
without impairment of his civil service status or tenure under
section nine A of chapter thirty and without loss of seniority,
retirement or other rights to which uninterrupted service in
such position would have entitled him. During the period of
such appointment each person so appointed from a position
in the classified civil service shall be eligible to take any com-
petitive promotional examinations to which he would have
otherwise been eligible.

Section 8. The commissioner shall appoint and may remove
all employees in the department. Unless otherwise provided by
law, all such appointments and removals shall be made in ac-
cordance with chapter thirty-one. From time to time the com-
missioner may, subject to appropriation and the laws and
regulations pertaining to the employment of consultants, em-
ploy such consultants as he may deem necessary.

Section 9. The commissioner shall prepare and submit to
the governor and the general court on or before the first day
of November, an annual report which shall contain the descrip-
tion of organization of the department and a concise review
of the work of the department and of the institutions under
the supervision of the department for the preceding fiscal year
and such suggestions and recommendations as to the depart-
ment and the said institutions and as to the general interests
of all persons under its supervision as he considers expedient,
together with information embodying the experience of this
and other jurisdictions relative to the best and most success-
ful methods of caring for or providing services to such persons
as come under its responsibility. The commissioner shall make
and from time to time revise and publish such rules and regu-
lations for the conduct of the business of the department and
345 the execution of the programs administered by the depart-
346 ment as may be necessary or appropriate. The department shall
347 take such action as may be necessary or desirable for carrying
348 out its programs and purposes in conformity with all require-
349 ments governing the granting of federal aid to the common-
350 wealth.

351 Section 10. No department, bureau or agency of the com-
352 monwealth or of any political subdivision thereof, which under
353 any provision of law is furnished with the names of recipients
354 of public assistance, shall permit the publication of lists of
355 such names or make use thereof for purposes not directly con-
356 nected with the administration of such assistance. The com-
357 missioner shall make and from time to time revise rules and
358 regulations governing the custody, use and preservation of the
359 records, papers, files and communications of the department.

360 Section 11. The commissioner may receive funds in trust for
361 the use of children born out of wedlock or other persons under
362 the care or supervision of the department. The commissioner
363 shall deposit such funds in savings banks in the commonwealth
364 or in savings accounts in trust companies or national banks
365 therein, or in paid-up shares and accounts of and in co-oper-
366 ative banks, or may use said funds to purchase share accounts
367 of federal savings and loan associations located in the com-
368 monwealth and, when necessary, make expenditures from said
369 funds for the benefit of or on behalf of the ward.

370 Section 12. Annually on or before November thirtieth, the
371 commissioner shall pay to the state treasurer all unclaimed
372 money held by the department for the benefit of any former
373 ward of the department whose whereabouts is then unknown
374 and has been unknown for seven years subsequent to his be-
375 coming of age. At the time of so paying over any such money,
376 the commissioner shall certify to the comptroller the amount
377 of such money then held for the benefit of each former ward,
378 his full name, age, if known, and last known address, the names
379 of his parents, if known, and such further information as the
380 commissioner deems relevant; and said comptroller shall make
381 and keep a record thereof.
The state treasurer may receive from the commissioner the unclaimed money paid over under this section and shall hold it as a separate fund. Upon certificate of the comptroller that a claim thereto satisfactory to him shall have been established and approved in writing by the attorney general, the state treasurer shall pay to any former ward, or to his guardian or conservator in case of his mental or other legal disability, or to his legal representatives in case of his death, the amount of money held for his benefit and paid over to the state treasurer under this section, without any accumulations accruing thereto after such payment, out of the principal of the fund in which the money so claimed was held as aforesaid. The said funds, if in cash, shall be invested safely by the estate treasurer, or, if in securities he may hold them in their original form or, upon the approval of the governor sell them and reinvest the proceeds in securities which are legal investments for the commonwealth sinking funds. He shall be held responsible for the faithful management of said trust funds in the same manner as for other funds held by him in his official capacity.

Section 13. The department is hereby authorized to enter into reciprocal agreements with other states regarding the interstate transportation of poor and indigent persons, and to arrange for the acceptance and support of persons receiving public aid in other states, in accordance with the terms of such reciprocal agreements. The department is hereby further authorized to enter into reciprocal agreements with other states to provide for the support and care of persons receiving aid or old age assistance under chapter one hundred and eighteen or chapter one hundred and eighteen A, or corresponding provisions of law in such other states, during the period of change of residence between states, as provided by section four A of said chapter one hundred and eighteen and section six A of said chapter one hundred and eighteen A.

Section 14. A treasurer of a savings bank, national bank, trust company, co-operative bank, benefit association, insurance company or safe deposit company authorized to do business in the commonwealth who, upon written request, signed by an
officer of the department, unreasonably refuses to inform him of the amount deposited in the corporation or association to the credit of a person named in such request as a charge upon the commonwealth, or as an applicant to the commonwealth for public assistance under chapters one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A or one hundred and eighteen D, or who wilfully renders false information in reply to such request, shall forfeit fifty dollars to the use of the commonwealth. Upon such request, a treasurer, as aforesaid shall furnish the records on deposits and withdrawals during the past five years, concerning any applicant for or recipient of public assistance under chapters one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A or one hundred and eighteen D to any officer of the department.

Section 15. Any person aggrieved by the failure of the department to render adequate aid or assistance under any program of aid or assistance administered by the department, or to approve or reject an application for aid or assistance thereunder within thirty days after receiving such application, or aggrieved by the withdrawal of such aid or assistance, shall have a right to a fair hearing, after due notice, upon appeal to the commissioner of public welfare. Such hearing shall be conducted by a referee designated by the commissioner at a location convenient to the person appealing and shall be conducted as an adjudicatory proceeding under Chapter 39A of the General Laws. Any referee so designated is hereby empowered to subpoena witnesses, administer oaths, take testimony and secure the production of such books, papers, records and documents as may be relevant to such hearing. The decision of the referee, when approved by the commissioner, shall be the decision of the department and shall be subject to review in accordance with the provisions of Chapter 30A of the General Laws. Hearings shall be granted upon any appeal in relation to the following matters, in addition to such others as shall be raised:

(1) The matter of denial of aid or assistance by the department:
(2) The matter of a change in the amount of aid or assistance given;
(3) The matter of withdrawal of aid or assistance;
(4) The matter of failure to receive adequate aid or assistance by reason of the non-fulfillment of any agreement made by a third person to contribute toward the support and maintenance of the person appealing.

Section 2. Section 1 of Chapter 41 of the General Laws, as most recently amended by Section 1 of Chapter 354 of the Acts of 1961, is hereby further amended by striking out the words “Three to five members of the Board of Public Welfare for the term of one or three years unless the town votes to authorize its selectmen to act as such Board”.

Section 3. Section 20 of said Chapter 41, is hereby amended by striking out the words “and the board of public welfare”.

Section 4. Section 21 of said Chapter 41, as most recently amended by Section 2 of Chapter 101 of the Acts of 1953, is hereby further amended by striking out in the first sentence thereof the words “or board of public welfare”, and inserting before the words “commission of public safety” the word “or”.

Section 5. Sections 31, 32, 32A, 33 and 34 of said Chapter 41 are hereby repealed.

Section 6. Section 2 of Chapter 47 of the General Laws is hereby amended by striking out, in the second sentence thereof, the words “local board of public welfare” and inserting in the place thereof the word “selectmen”.

Section 7. Chapter 117 of the General Laws is hereby amended by striking out the title and inserting in place thereof the following new title — “SUPPORT BY THE COMMONWEALTH”.

Section 8. Chapter 117 of the General Laws is hereby amended by striking out Section 1, as most recently amended
by Section 1 of Chapter 726 of the Acts of 1963, and inserting in place thereof the following: —

Section 1. The Commonwealth, acting by and through the department of public welfare established by Chapter 18 of the General Laws, shall relieve and support all poor and indigent persons residing or found therein, whenever they stand in need of relief or support. The aid furnished shall include financial, social, and medical assistance or aid as indicated by the circumstances and shall be sufficient to enable parents to bring up their children properly and to maintain an adequate standard of living for persons or families or children and shall be in an amount to be determined in accordance with budgetary standards of the department and shall be granted from the date of application therefor.

Section 9. Said Chapter 117 is hereby further amended by striking out Section 2, as most recently amended by Chapter 523 of the Acts of 1965, and inserting in place thereof the following: —

Section 2. No person dependent on public support shall be placed by the department or by any veterans’ agent, board of health, or other public authority, in any hospital, nursing home, infirmary or institution not operated by the commonwealth which is not licensed as required by chapter one hundred and eleven. Any person violating the provisions of this paragraph shall be punished by a fine of not less than twenty-five or more than one hundred dollars.

Section 10. Sections 3, 3A and 3B of said Chapter 117 are hereby repealed.

Section 11. Section 5 of said Chapter 117 as most recently amended by Section 3 of Chapter 726 of the Acts of 1963 is hereby further amended by striking out, in the first paragraph thereof the words “any town” and inserting in place thereof the words “the commonwealth”, by striking out, in the first sentence of the second paragraph thereof the words “board of public welfare” and inserting in place thereof the word
8 departments”; by striking out in the said sentence the word “town” wherever it appears, and inserting in place thereof the word “commonwealth;” by striking out in the second sentence of the said paragraph the words “providing such relief or support” and inserting in place thereof the words “in which the person resides”; by striking out in the second sentence of the said paragraph the words “providing such relief or support” and inserting in place thereof the words “in which the person resides”; and by striking out the third sentence of the said paragraph.

1 **Section 12.** Section 7 of said Chapter 117, as most recently amended by Chapter 156 of the Acts of 1956, is hereby further amended by striking out the words “any town” and inserting in place thereof the words “the commonwealth”.

1 **Section 13.** Section 8 of said Chapter 117 is hereby amended by striking out the word “town” and inserting in place thereof the word “commonwealth”.

1 **Section 14.** Section 13 of said Chapter 117 as amended by Chapter 608 of the Acts of 1941 is hereby further amended by striking out, in the first sentence, the words “a member of the board of public welfare of a town” and inserting in place thereof the words “the commissioner of public welfare”; and by striking out in said sentence the words “a charge upon such town” and inserting in place thereof the words “a recipient of public welfare under this chapter”; by striking out in the second sentence the words “a member of the board of public welfare of a town” and inserting in place thereof the words “the commissioner of public welfare”; by striking out in said sentence the words “such town” where it first appears, and inserting in place thereof the words “a town or the commonwealth”; and by striking out in said sentence the words “such town” where it next appears and inserting in place thereof the words “the commonwealth”.

1 **Section 15.** Section 14 of said Chapter 117, as most recently amended by Section 4 of Chapter 726 of the Acts of 1963, is hereby repealed.
1 SECTION 16. Said Chapter 117 is hereby further amended by striking out Section 17, as most recently amended by Section 6 of Chapter 726 of the Acts of 1963, and inserting in place thereof the following: —

5 Section 17. The department shall provide for the decent burial of all deceased persons who were at the time of death recipients of public welfare under this chapter; all deceased persons who, although without means of support at the time of death, did not apply for public relief; and all unknown persons found dead. It shall also provide for the grave of each such deceased person a suitable marker bearing the name and dates of birth and death of such deceased person, if known. The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and if the expense of their funeral and burial is not paid by such kindred, an amount not exceeding three hundred dollars for the funeral expenses of each person.

1 SECTION 17. Section 18 of said Chapter 117 is hereby repealed.

1 SECTION 18. Section 18A of said Chapter 117, as most recently amended by Section 1 of Chapter 668 of the Acts of 1945, is further amended by striking out, in the first paragraph the words "over the age of twelve", by striking out in the said paragraph "town liable for his burial" and inserting in place thereof "the commonwealth", by striking out in the said paragraph the words "one hundred dollars", and inserting in place thereof the words "three hundred dollars", and by striking out in the second paragraph the word "town" and inserting in place thereof the word "commonwealth".

1 SECTION 19. Sections 19 and 19A of said Chapter 117 are hereby repealed.

1 SECTION 20. Said Chapter 117 is hereby further amended by striking out Section 24, as most recently amended by Chapter 584 of the Acts of 1959, and inserting in place thereof
4 the following: — Section 24. The commonwealth shall be liable
5 for any expense necessarily incurred under this chapter for
6 the relief of a person in need of public assistance therein by
7 any person not liable by law for his support, after notice and
8 request made in writing to the commissioner of public welfare,
9 and until provision is made by the department; provided, how-
10 ever, that the commonwealth shall not be liable under this
11 section for any expense for hospital care.

1 SECTION 21. Said Chapter 117 is hereby further amended by
2 striking out Section 24A as amended by Chapter 584 of the
3 Acts of 1959, and inserting in place thereof the following: —
4 Section 24A. If hospital care is furnished to a person in need
5 of public assistance by any person not liable by law for his
6 support, the commonwealth shall be liable for the expense of
7 such care necessarily incurred under this chapter after notice
8 and request made in writing and signed by such person to the
9 commissioner of public welfare, and until provision is made by
10 the department; but the commonwealth shall not be liable in
11 a sum exceeding the maximum amount under section thirty K
12 of chapter seven for like hospital care. The commonwealth
13 shall be liable under this section for hospital care furnished to
14 such a person during a period not exceeding thirty days prior
15 to such request.

1 SECTION 22. Said Chapter 117 is hereby further amended by
2 striking out Section 28, as amended by Section 13 of Chapter
3 726 of the Acts of 1963 and inserting in place thereof the fol-
4 lowing: Section 28. Whoever brings into and leaves a poor and
5 indigent person in the commonwealth, knowing him to be poor
6 and indigent, and with intent to charge the commonwealth
7 with his relief or support, shall forfeit not more than one hun-
8 dred dollars to the use of the commonwealth.

1 SECTION 23. Section 29 of said Chapter 117 is hereby
2 amended by striking out the words “to the board of public
3 welfare, to its agent or,” and by striking out the words “by
4 a town or”. 
1 Section 24. Said Chapter 117 is hereby further amended 2 by striking out Section 31 and inserting in place thereof the 3 following: — Section 31. In actions and prosecutions founded 4 on the preceding sections, the department of public welfare 5 may, or at the request of the department, the attorney gen- 6 eral or a district attorney shall, appear and prosecute actions 7 and prosecutions on behalf of the department.

1 Section 25. Sections 32, 40, 44, 44A, 45 and 46 of said 2 Chapter 117 are hereby repealed.

1 Section 26. Chapter 118 of the General Laws is hereby 2 amended by striking out section 1, as most recently amended 3 by chapter 435 of the acts of 1963, and inserting in place there- 4 of the following section: — Section 1. The following words and 5 phrases as used in this chapter, unless the context otherwise 6 requires, shall have the following meanings: —

7 "Dependent child", a needy child who has been deprived of 8 parental support or care by reason of the death, continued 9 absence from the home, physical or mental incapacity or the 10 unemployment of a parent, and who is living with his father, 11 mother or other parent in a place of residence maintained by 12 one or more of such relatives as his or their own home and 13 who is under the age of eighteen (18) or under the age of 14 twenty-one (21) and a student regularly attending a school, 15 college or university or regularly attending a course of voca- 16 tional or technical training designed to fit him for gainful 17 employment.

18 "Parent", shall include, in addition to the father and mother 19 of the dependent child, the following:—stepfather, stepmother, 20 stepbrother, stepsister; any blood relative, including those of 21 the half blood, except cousins who are more distantly related 22 than first cousins; adoptive relative of equal propinquity to the 23 foregoing; and spouses of any such persons.

24 "Aid to families with dependent children", money payments 25 with respect to families with a dependent child or children. 26 "Department", the department of public welfare.
Section 27. Said Chapter 118 is hereby amended by striking out section 2 as most recently amended by chapter 556 of the acts of 1962, and inserting in place thereof the following section: — Section 2. The department shall aid a parent in properly bringing up, in his or her own home, each dependent child but no aid shall be granted under this chapter for or on account of any child unless such child resides in the commonwealth. The aid furnished shall be sufficient to enable such parent to bring up such child or children properly in his or her own home, and shall be in an amount to be determined in accordance with budgetary standards of the department, and shall be granted from the date of application therefor. Such assistance shall be paid by cash or in check and shall be paid semi-monthly in advance unless the applicant prefers less frequent payments. Payment for funeral expenses of any such parent or dependent child in his or her custody may be paid directly to the person furnishing such services. Payment for other services rendered to such a parent or a dependent child in his or her custody may be paid directly to the person furnishing such services only when such payment is effected to meet an expense which remained unpaid at the time of the death of the parent or his commitment to an institution as an insane person or in a case where such payment is necessary to discharge an obligation incurred by the department in securing such services for such parent or dependent child. Nothing in this chapter shall be construed as authorizing any public official, agent or representative, in carrying out any provision of this chapter, to take charge of any child over the objection of either the father or the mother of such child, or of the person standing in loco parentis to such child, except pursuant to a proper court order.

Section 28. Section 2A of said Chapter 118 is hereby amended by striking out the words “and shall also be included in the reimbursement by the commonwealth”.

Section 29. Said Chapter 118 is hereby amended by striking out Section 3 as most recently amended by Section 2 of Chapter 556 of the Acts of 1962, and inserting in place thereof the following: — Section 3. Except as hereinafter provided, the
5 department shall determine that aid is necessary to enable 6 such parent to bring up such child or children. For this pur- 7 pose, the department shall make an immediate and careful 8 inquiry, including the resources of the family and ability of 9 its other members, if any, to work or otherwise contribute to 10 its support, the existence of relatives able to assist the family 11 and societies or agencies who may be interested therein; shall 12 take all lawful means which may include in appropriate cases 13 as determined by the commissioner, the institution of criminal 14 proceedings, to compel all persons bound to support such par- 15 ents and such child or children to support them, and to enforce 16 any other legal rights for their benefit; shall encourage all 17 members of the family who are able to work, other than such 18 parent and such child or dependent children, to secure work; 19 shall try to aid them to secure work; and shall secure all neces- 20 sary aid for such parent and such child or children which can 21 be secured from relatives or organizations; provided, however, 22 that any exemption now or hereinafter permissible under the 23 Federal Social Security Act relative to earned income may be 24 allowed. This section shall not prevent the department from 25 giving prompt and suitable temporary aid, pending compliance 26 with the requirements of this section, when in its opinion such 27 aid is necessary.

1 **SECTION 30.** Section 4 of said Chapter 118 is hereby repealed.

1 **SECTION 31.** Section 4A of said Chapter 118 as amended by 2 Section 1 of Chapter 458 of the Acts of 1945, is hereby further 3 amended by striking out in the second sentence of the first 4 paragraph thereof the words "board of public welfare of the 5 town granting such aid", and inserting in place thereof the 6 word "department".

1 **SECTION 32.** Said Chapter 118 is hereby amended by striking 2 out Section 5, as most recently amended by Section 6 of Chap- 3 ter 432 of the Acts of 1963 and inserting in place thereof the 4 following: — **Section 5.** The department may visit and inspect 5 any or all families so aided. The department shall, in addition 6 to its annual report, make such reports to the Secretary of
7 Health, Education and Welfare under the Social Security Act, as amended, as may be necessary to secure to the commonwealth the benefits of said act.

1 Section 33. Sections 6, 7, and 8 of said Chapter 118 are hereby repealed.

1 Section 34. Section 11 of said Chapter 118, as amended by Section 1 of Chapter 498 of the Acts of 1966, is hereby further amended by striking out, in the first paragraph thereof, the words "appropriate board of public welfare and such board" and inserting in place thereof the words "department and the department" and by striking out the third paragraph thereof and inserting in place thereof the following paragraph: —

8 If relief or support under this chapter is necessary as a result of an accident, injury or illness for which moneys are expected to be provided by accident or health insurance, workmen's compensation or otherwise, the department may require the person in need of such relief or support to provide for the reimbursement of the commonwealth for each day of such relief or support by assigning to the commonwealth an equivalent amount of the money to be so realized for such day; but such assignment shall not operate as a lien on moneys to be so realized for any day for which relief or support is not provided. Such assignment may be enforced by petition to a district court within the jurisdiction in which the person resides. Proceeds realized through the enforcement of this section shall be apportioned between the federal government and the commonwealth in proportion to the amount of their respective contributions thereto, but in no case for more than the amount contributed, without interest.

1 Section 35. Chapter 118A of the General Laws is hereby amended by striking out Section 1 as most recently amended by Section 1 of Chapter 570 of the Acts of 1966, and inserting in place thereof the following: — Section 1. Adequate assistance to persons in need of relief and support who have reached the minimum age now or hereafter established by the United...
7 States government under the Federal Social Security Act, as a basis for eligibility for grants in aid for old age assistance, and who resides in the commonwealth, shall be granted by the department of public welfare, in this chapter called the department. Financial assistance granted hereunder shall be given from the date of application therefor, but in no event before the applicant reaches the minimum age now or hereafter established by the United States government under the Federal Social Security Act as a basis for eligibility for grants in aid for old age assistance, and in determining the amount of assistance to be given for any period preceding the date on which the application was favorably passed upon, consideration shall be given to the amount of welfare relief, if any, given to such applicant during said period under any other provision of law. Such assistance shall, wherever practicable, be given to the aged person in his own home, or in lodgings, or in a rest home, or in any acute general hospital, in all approved public medical institutions, all licensed chronic hospitals and all licensed nursing homes where the aged person needs no other residence. No aged person cared for in a rest home shall be eligible for old age assistance while receiving such care under a contract except in accordance with the provisions of section one A. Such assistance shall be paid by check or in cash, which shall be delivered to the applicant at his residence, if he so requests, and shall be paid semi-monthly in advance unless the applicant prefers less frequent payments. Such assistance shall be on the basis of need, and the amount thereof shall be determined in accordance with budgetary standards established by the department. Such assistance shall be at no less than the following rates: — In the case of any individual living outside a family group, not less than seventy-five dollars monthly; in the case of any other person, not less than fifty-five dollars monthly. A family group shall constitute two or more persons living together in the same household who are related by blood or marriage. In computing the aforesaid minima, the department shall, in accordance with rules and regulations made by it, deduct therefrom the amount of income the person assisted or to be assisted may be receiving from any source whatsoever,
and may so deduct therefrom such reasonable amount as may be deemed to represent the financial value of board, lodging or other assistance which is being furnished to such person from any source whatsoever; provided, however, that any exemption now or hereinafter permissible under the Federal Social Security Act relative to earned income may be allowed.

The department shall keep informed as to change in the cost of living as indicated by the statistics prepared by the division on the necessaries of life in the department of labor and industries and issued monthly by said division. Whenever said monthly statistics show an over-all increase or decrease in the cost of living of three per cent or more since the month, next preceding, in which the change in the cost of living was sufficient to require a corresponding change in the budgetary standards, the department shall immediately increase or decrease the total budget of each recipient by the same proportion, notwithstanding any other provisions of this chapter, to become effective on the first day of the month next following the end of thirty days from the date of said three per cent or more over-all increase or decrease in the cost of living. Notwithstanding any provision of this chapter the department of public welfare shall at all times provide adequate standards of assistance and shall, from time to time, increase the budgetary requirements to maintain such adequate standards. The provisions of this paragraph shall not apply in the case of inmates of boarding homes or institutions who are receiving assistance under this chapter.

The department shall include in the budget of each recipient an item, to be known as "Leisure Time Activities," under which there shall be paid to each recipient the sum of eleven dollars and fifty cents monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section, and an item, to be known as "Transportation Allowance," under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of five dollars monthly.

Such assistance shall also provide for adequate medical care for every recipient of assistance under this chapter, and shall
include provision for the services of a physician of such recipi-
ent's choice, and provision for the recipient to have prescribed
medicines and drugs supplied by a pharmacy of his choice sub-
ject to such rules and regulations as shall be made by the de-
partment. Such assistance shall also provide for necessary
chirodony treatment for every recipient of assistance under
this chapter without requiring that the same be recommended
by a physician.

Payment for other services rendered to such aged person,
including funeral expenses, may be paid directly to the person
furnishing such services only when such payment is made to
meet an expense which remained unpaid at the time of death
or commitment as an insane person. Payment for services ren-
dered shall be made, to the extent otherwise permitted, where
an applicant dies before approval of his application.

The department may pay a sum, not exceeding three hundred
doors, for the burial of a recipient providing the cost of burial
does not exceed five hundred dollars and there are insufficient
resources to pay for the cost of such burial. Any resources of
a recipient shall be deducted from the maximum cost of the
burial allowable hereunder and the difference, subject to the
limitation set forth in this paragraph, shall be paid by the de-
partment.

Where an individual requests care at an institution, the insti-
tution furnishing such care may initiate an application on
behalf of the applicant to the department and the department
shall accept the application and act thereon. Such institutions
may also intervene in any application made and shall be en-
titled to notice, hearing and appeal in the same manner as an
applicant. Nothing herein contained, however, shall be con-
strued to grant to such institution any rights which supersede
the rights of an applicant. A convalescent or nursing home fur-
ishing care to an individual who is receiving assistance under
the provision of this section shall obtain from such individual
the name of the pharmacy of his choice, shall maintain a
record of such choice, and shall obtain all medicine and drugs
prescribed for such individual from such pharmacy and no
other, provided that such pharmacy is in the same town as
the convalescent or nursing home and maintains a delivery
service.

Section 36. Section 2 of said Chapter 118A is hereby re-
pealed.

Section 37. Section 2A of said Chapter 118A is hereby
repealed.

Section 38. Section 3 of said Chapter 118A is hereby
repealed.

Section 39. Said Chapter 118A is hereby further amended
by striking out Section 4, as most recently amended by Chap-
ter 304 of the Acts of 1957, and inserting in place thereof the
following:

Section 4. The ownership in vacant land from which no
income is derived, or the ownership of an interest in real
estate by an applicant who resides thereon or who, in the
opinion of the department, is residing elsewhere than on such
real estate because of physical or mental incapacity, shall not
disqualify him from receiving assistance under this chapter.

Section 40. Said Chapter 118A is hereby further amended
by striking out Section 4A, as most recently amended by sec-
tion 2 of Chapter 498 of the Acts of 1966, and inserting in
place thereof the following: — Section 4A. A person shall be
liable in contract to the commonwealth for expenses incurred
by it under this chapter for assistance rendered to such person
under this chapter if such person is in possession of funds not
otherwise exempted, provided action is commenced against
such person within six years next after the date when said
person last received assistance or support under this chap-
ter or chapter one hundred and seventeen. The executor or
administrator of such person shall likewise be liable for such
expenses if the estate of such person is in possession of funds
not otherwise exempted thereunder, but in any action there-
for the defense of the statute of limitations shall not be
16 available to the executor or administrator except as provided
17 in chapter one hundred and ninety-seven. Proceeds realized
18 through any enforcement of this section shall be apportioned
19 between the federal government and the commonwealth in
20 proportion to the amount of their respective contributions
21 thereto but in no case for more than the amount contributed,
22 without interest. The commonwealth shall succeed to and shall
23 have all rights of enforcement of any causes of action which
24 shall have accrued to any city or town for or on account of
25 any payments made by a city or town under this chapter.
26 If relief or support under this chapter is necessary as a re-
27 sult of an accident, injury or illness for which moneys are
28 expected to be provided by accident or health insurance,
29 workmen's compensation, or otherwise, the department may re-
30 quire the person in need of such relief or support to provide
31 for the reimbursement of the commonwealth for each day of
32 such relief or support by assigning to the commonwealth an
33 equivalent amount of moneys to be so realized for such day;
34 but such assignment shall not operate as a lien on moneys to
35 be so realized for any day for which relief or support is not
36 provided. Such assignment may be enforced by petition to
37 a district court within the jurisdiction in which the person
38 resides. Proceeds realized through the enforcement of this
39 section shall be apportioned between the federal government
40 and the commonwealth furnishing the assistance in proportion
41 to the amount of their respective contributions thereto, but in
42 no case for more than the amount contributed, without inter-
43 est.

1 Section 41. Section 5 of said Chapter 118A as most re-
2 cently amended by chapter 486 of the Acts of 1949; is hereby
3 further amended by striking out in the first sentence the
4 words "town" and "such town" and inserting in place thereof
5 the words "commonwealth, if the department so requires,"
6 and "it" respectively.

1 Section 42. Section 6A of said chapter 118A as most re-
2 cently amended by chapter 627 of the acts of 1949, is hereby
3 further amended by striking out in the first sentence of the
4 first paragraph the words “bureau of old age assistance of
5 the town granting such assistance” and inserting in places
6 thereof the word “department”, and by striking out the third
7 paragraph.

1  SECTION 43. Sections 7 and 8 of said Chapter 118A are
2 hereby repealed.

1  SECTION 44. Section 10 of said chapter 118A, as most re-
2 cently amended by chapter 340 of the Acts of 1954, is hereby
3 further amended by striking out the said section and inserting
4 in place thereof the following: — The department may visit any
5 person assisted.

1  SECTION 45. Section 11 of said chapter 118A is hereby
2 repealed.

1  SECTION 46. Section 12 of said Chapter 118A is hereby
2 amended by striking out in the second sentence the words
3 “board of public welfare” and inserting in place thereof the
4 word “department”.

1  SECTION 47. Section 14 of said Chapter 118A is hereby
2 amended by striking out in the first sentence the words “board
3 of public welfare of each town” and inserting in place thereof
4 the word “department”.

1  SECTION 48. Section 15 of said Chapter 118A, as amended
2 by section 1 of chapter 586 of the Acts of 1965, is hereby
3 further amended by striking out in the first sentence the words
4 “board of public welfare of the town in which he resides” and
5 inserting in place thereof the word “department” and by strik-
6 ing out the second and third sentences.

1  SECTION 49. Section 16 of said chapter 118A is hereby
2 amended by striking out in the first sentence the words
3 “board of public welfare” and inserting in place thereof the
4 word “department” and by striking out in the second sentence
5 the words "section 21" and inserting in place thereof the words
6 "section 15 of chapter 18".

1 SECTION 50. Sections 20 and 21 of said Chapter 118A are
2 hereby repealed.

1 SECTION 51. Section 22 of said Chapter 118A is hereby
2 repealed.

1 SECTION 52. Section 24 of said Chapter 118A, as amended
2 by section 2 of chapter 657 of the Acts of 1965, is hereby
3 further amended by striking out the word "board" and insert-
4 ing in place thereof the word "department".

1 SECTION 53. Sections 25, 26, 28 and 29 of said Chapter 118A
2 are hereby repealed.

1 SECTION 54. Section 30 of said chapter 118A, as most rec-
2 ently amended by Chapter 340 of the Acts of 1965, is hereby
3 further amended by striking out in the third sentence of para-
4 graph "7" the words "a local board of public welfare" and
5 "board" and inserting in place thereof the words "the depart-
6 ment" and "department" respectively.

1 SECTION 55. Section 32 of said Chapter 118A is hereby
2 repealed.

1 SECTION 56. The General Laws are hereby amended by
2 striking out Chapter 118B.

1 SECTION 57. Chapter 118D of the General Laws, as most
2 recently amended by section 2 of Chapter 127 of the Acts of
3 1961, is hereby further amended by striking out section 1 and
4 inserting in place thereof the following section:
5 Section 1. The department of public welfare, in this
6 chapter called the department, shall give adequate assistance
7 to every needy person who has reached the age of eighteen
8 years but has not reached the minimum age now or hereafter
9 established by the United States government under the Federal
Social Security Act, as a basis for eligibility for grants in aid for old age assistance, who is permanently and totally disabled and who resides in the commonwealth. Such assistance shall, whenever practicable, be given to such person in his own home or in lodgings or in a boarding home which, for the purposes hereof, shall include any institution providing shelter, care and treatment for such permanently and totally disabled persons; provided, that no such assistance shall be given to any individual who is an inmate of a public institution unless such person is a patient in a public medical institution; and further provided, that such assistance shall not be given to or in behalf of any individual who is a patient in an institution for tuberculosis or mental diseases. For purposes of this section a public medical institution is an institution, supported in whole or in part by public funds, which is staffed by professional nursing and convalescent care, in accordance with accepted standards. In the case of a hospital, sanatorium, convalescent and nursing home, or boarding home for the aged, such institutions shall meet the licensing provisions of the department of public health. In the case of an institution which is not licensed as a hospital, sanatorium, convalescent and nursing home, or boarding home for the aged, the institutions shall meet the standards established for such institutions by the department of public health, authority to establish such standards being hereby given.

Section 58. Section 2 of said Chapter 118D, as most recently amended by section 2 of chapter 586 of the Acts of 1965, is hereby further amended by striking out in the first sentence the words "board of public welfare of the town in which he resides" and inserting in place thereof the words "department of public welfare, hereinafter called the department"; by striking out the second and third sentences; by striking out in the fourth sentence the words "appropriate board of public welfare and such board" and inserting in place thereof the words "department and the department"; by striking out in the seventh sentence the words "board of public welfare" and inserting in place thereof the word "department"; by striking
13 out in the eighth sentence the words "board of public welfare" 14 and inserting in place thereof the word "department"; and by 15 striking out in the ninth sentence the words "board of public 16 welfare" and inserting in place thereof the word "department".

1 SECTION 59. Section 3 of the said Chapter 118D is hereby 2 repealed.

1 SECTION 60. Said Chapter 118D is hereby amended by 2 striking out section 4, as amended by section 1 of Chapter 659 3 of the Acts of 1960, and inserting in place thereof the follow- 4 ing: —

5 Section 4. Assistance under this Chapter shall be on the 6 basis of need, and the amount thereof shall be determined in 7 accordance with budgetary standards of the department, and 8 shall be granted from the date of application therefor. In 9 determining the amount of assistance to be given for any 10 period preceding the date on which the application was 11 favorably passed upon, consideration shall be given to the 12 amount of assistance, if any, given to such applicant during 13 said period under any other provision of law. In computing 14 the amount of assistance, the department shall, in accordance 15 with rules and regulations made by it, deduct therefrom the 16 amount of income the person assisted or to be assisted may be 17 receiving from any source whatsoever and may deduct there- 18 from such reasonable amount as may be deemed to represent 19 the financial value of board or lodging or other assistance 20 which is being furnished to such person from any source 21 whatsoever, provided, however, that any exemption now or 22 hereinafter permissible under the Federal Social Security Act 23 relative to earned income may be allowed. Adequate medical 24 care for every recipient assisted under this chapter shall be 25 provided under such rules and regulations as shall be made 26 by the department. Assistance to permanently and totally 27 disabled persons shall include financial assistance and a pro- 28 gram of rehabilitation for persons found to be eligible for and 29 in need of such assistance, under this chapter. The department
shall include in the budget of each recipient an item, to be
known as "Leisure Time Activities", under which there shall
be paid to each recipient the sum of four dollars monthly in
addition to the budgetary requirements or any other assist-
ance granted under the provisions of this section and an item,
to be known as "Transportation Allowance", under which there
shall be paid to each recipient who is not an inmate of a
nursing home or institution the sum of two dollars and fifty
cents.

1 Section 61. Said Chapter 118D is hereby amended by strik-
ing out section 5, as most recently amended by Chapter 267
of the Acts of 1961 and inserting in place thereof the follow-
ing: —

5 Section 5. Assistance under this chapter shall be given in
the form of money payments to individuals. When money
payments are granted, such assistance shall be in the form
of cash or check which shall be delivered to the applicant at
his residence if he so requests and shall be paid semi-monthly
in advance. Payments under this chapter for funeral and
burial services shall be paid directly to persons furnishing
such services, in accordance with rules and regulations of the
department. If an applicant dies before his application is ap-
proved, the payments to which he would have been entitled
had he survived shall be made in accordance with rules and
regulations made by the secretary of health, education and
welfare of the United States applicable to such situation.

1 Section 62. Section 6 of said Chapter 118D is hereby re-
pealed.

1 Section 63. Section 7 of said Chapter 118D, as amended
by Section 1 of chapter 659 of the Acts of 1957, is hereby
further amended by striking out in the second sentence the
word "town" and "such town" and inserting in place thereof
the words "commonwealth, if the department so required,"
and "it" respectively.
1 Section 64. Section 8 of said Chapter 118D, as most recently amended by Chapter 493 of the Acts of 1957, is hereby further amended by striking out the said section and inserting in place thereof the following: —

Section 8. A husband of any person in need of assistance, and the relative of any such person in the line or degree of father or mother except a father or mother who has attained the age of sixty-five years or a widowed mother who has attained the age of sixty-two years, if of sufficient ability shall be bound to support such permanently and totally disabled person and shall be obliged to reimburse the commonwealth for such person under this chapter in proportion to their respective abilities to pay.

The superior court sitting in equity or the probate court in the county where any one of the persons liable for support under this section resides shall have jurisdiction, upon the complaint of the department, to assess and apportion upon such kindred liable under this section amounts as the court considers reasonable for or towards the support of the individual in need of assistance, and may enforce payment thereof by execution in common form. The court may order such kindred to pay such weekly amounts as it finds sufficient for the future support of the person. Complaints under this section shall be filed in the clerk's office and a summons directed to any officer qualified to serve civil process shall thereupon be issued, requiring the kindred therein named to appear and answer thereto, and it shall be served like an original summons.

1 Section 65. Sections 9 and 12 of said Chapter 118D are hereby repealed.

1 Section 66. Said Chapter 118D is hereby amended by section 3 of Chapter 498 of the Acts of 1966 and inserting in place thereof the following: —

Section 14. Every person who has received assistance from a city or town or from the department under this chapter
6 shall be liable in action of contract to the commonwealth for
7 the amount of such assistance received, and the estate of
8 every person who dies, having received such assistance from a
9 city or town or from the commonwealth within six years prior
10 to his death, shall be liable to the commonwealth therefor and
11 such liability shall be debt of his estate and may be enforced
12 in the same manner as other debts of deceased persons. The
13 department shall determine whether any action should be
14 brought under this section. The commonwealth shall succeed
15 to and shall have all rights of enforcement of any cause of
16 action which shall have accrued to any city or town for or on
17 account of any payments made by a city or town under this
18 chapter.
19 If relief or support under this chapter is necessary as a re-
20 sult of an accident, injury or illness for which moneys are
21 expected to be provided by accident or health insurance, work-
22 men's compensation, or otherwise, the department may re-
23 quire the person in need of such relief or support to provide
24 for the reimbursement of the commonwealth for each day
25 of such relief or support by assigning to the commonwealth
26 an equivalent amount of the moneys to be so realized for
27 such day; but such assignment shall not operate as a lien on
28 moneys to be so realized for any day for which relief or sup-
29 port is not provided. Such assignment may be enforced by
30 petition to a district court within the jurisdiction in which the
31 person resides. Proceeds realized through the enforcement
32 of this section shall be apportioned between the federal govern-
33 ment and the commonwealth furnishing the assistance in
34 proportion to the amount of their respective contributions
35 thereto, but in no case for more than the amount contributed,
36 without interest.

1 Section 67. Said Chapter 118D is hereby amended by strik-
2 ing out Section 15, as amended by Section 12 of Chapter 602
3 of the Acts of 1956, and inserting in place thereof the follow-
4 ing: — Section 15. For the purpose of securing efficient admin-
5 istration of this chapter, the department may adopt rules and
6 regulations not inconsistent with law, defining "permanent and
7 total disability” and establishing methods under which a re-
8 view of eligibility as to the permanent and total disability of
9 an applicant or recipient will be made by a physician and such
10 other technically trained persons as the department considers
11 essential, establishing provisions designed to promote the re-
12 habilitation of applicants and recipients through the use of the
13 services offered by the Massachusetts Rehabilitation Commiss-
14 ion under the agreements set forth in section eighty-one of
15 chapter six, provisions establishing limitations on the amount
16 of assistance to be provided and on expenses to be borne by
17 the public with respect to funerals and burials and provi-
18 sions relative to the extent of the financial ability of the rela-
19 tives of any needy person that will obligate them to contribute
20 to his support.

1 SECTION 68. Said Chapter 118D is hereby amended by strik-
2 ing out Section 16 and inserting in place thereof the following:
3 Section 16. The department shall take such action as may be
4 necessary or desirable for carrying out the purposes of this
5 chapter in conformity with all requirements governing the
6 granting of federal aid.

1 SECTION 69. Sections 18, 19 and 20 of said Chapter 118D
2 are hereby repealed.

1 SECTION 70. Section 21 of said Chapter 118D is hereby
2 amended by striking out in the second sentence the words
3 “board of public welfare” and inserting in place thereof the
4 word “department”.

1 SECTION 71. Section 3 of said Chapter 119 of the General
2 Laws is hereby amended by striking out the sentences “Divi-
3 sion, shall mean the division of child guardianship of the
4 department of public welfare” and “Advisory Board, means
5 the department advisory board”.

1 SECTION 72. Section 12 of said Chapter 119 is hereby
2 amended by striking out in the second sentence the words
3 “shall be subject to review and approval by the advisory
4 board and”.
Section 73. Section 18 of said Chapter 119 is hereby amended by striking out in the first sentence the words "subject to review and approval by the advisory board".

Section 74. Section 20 of said Chapter 119 is hereby amended by striking out the word "division" and inserting in place thereof the word "department".

Section 75. Section 34 of said Chapter 119 is hereby amended by striking out in the first sentence the words "institutions commissioner in Boston, or by the board of public welfare in any other town" and inserting in place thereof the word "department".

Section 76. Section 37 of said Chapter 119 is hereby amended by striking out in the first sentence the words "which rules and regulations shall be reviewed and approved by the advisory board" and by striking out the second sentence.

Section 77. Section 39 of said Chapter 119 is hereby amended by striking out the words "board of public welfare of the town where he resides" and inserting in place thereof the word, "department".

Section 78. Sections 1, 2, 3, 4, 4A, 8A, 8B, 9A, 41 and 42 of Chapter 121 of the General Laws are hereby repealed.

Section 79. Section 43 of Chapter 271 of the General Laws, as most recently amended by section 14 of Chapter 535 of the Acts of 1966, is hereby further amended by striking out the words "section four A of Chapter one hundred and twenty-one" and inserting in place thereof the words "section 10 of Chapter eighteen."

Section 80. All officers, deputies and employees of any board, office, agency, division, bureau, section or other administrative unit within, under or attached to the department of public welfare who immediately prior to the effective date of
this act shall hold positions classified under Chapter 31 of the General Laws, or shall have tenure in their positions by reason of section 9A of chapter 30, are hereby transferred to the services of the divisions, bureaus, sections and other administrative units within the department of public welfare which are established by this act or shall be established in accordance with this act, every such transfer to be without impairment of the civil service status, seniority and other rights of the employee without interruption of his service within the meaning of the said Chapter 31 or Section 9A of Chapter 30, and without reduction in his compensation or salary grade, notwithstanding any change in his title or duties made as a result of such transfer. All officers, deputies and employees of any such board, office, agency, division, bureau, section or other administrative unit who immediately prior to said date shall, without such tenure, hold positions not so classified, are hereby transferred to the service of said department of public welfare without impairment of seniority, retirement and other rights, without interruption of service within the meaning of said section 9A of Chapter 30, and without reduction in compensation or salary grade.

SECTION 81. Upon the effective date of this act the department of public welfare existing immediately prior to the effective date of this act, and all city and town boards of public welfare, all almoners, and all city and town offices and boards performing the duties of a board of public welfare on similar duties in administering programs under Chapters 117, 118, 118A and 118D of the General Laws and administering programs related to the provisions of those Chapters immediately prior to the effective date of this act are hereby abolished. All powers and duties exercised by such boards and offices are hereby transferred to the department of public welfare, created by Section 1 of Chapter 18 of the General Laws as appearing in Section 1 of this Act. The incumbents and employees of such city and town boards and offices shall, without impairment of civil service status, seniority, retirement and other rights, without interruption of service within the mean-
17 ing of Chapter 31 of Section 9A of Chapter 30, and without
18 reduction in compensation or salary grade become employees
19 of the said department of public welfare, notwithstanding any
20 change in title or duties made as a result of such commence-
21 ment of employment with the department. All questions as to
22 civil service status, seniority and other rights shall be deter-
23 mined by rules and regulations of, and proceedings before, the
24 bureau of personnel and standardization established under
25 Chapter 7 of the General Laws. Any person aggrieved by a
26 determination of the division of personnel and standardiza-
27 tion may appeal therefrom to the civil service commission. All
28 questions relating to retirement rights shall be determined by
29 the state board of retirement.

1  SECTION 82. All books, papers, records and documents in
2 the custody of or maintained for the use of the department of
3 public welfare abolished by this act and of all boards and
4 offices of cities and towns abolished by this act are hereby
5 transferred to the custody of the department of public wel-
6 fare established by this act. All petitions, applications, hear-
7 ings and other proceedings duly pending before, and all
8 prosecutions and legal and other proceedings duly begun by
9 the department of public welfare abolished by this act and any
10 city or town board or office abolished by this act or before or
11 by any member, officer or employee thereof, shall continue
12 unabated and remain in full force and effect notwithstanding
13 passage of this act, and may be completed before or by the
14 department of public welfare established by this act. All
15 orders, rules and regulations duly made by the department
16 of public welfare abolished by this act, or by any officer or
17 employee thereof, shall remain in full force and effect until
18 superseded, revised, rescinded or cancelled in accordance with
19 law. All duly existing contracts, leases and obligations of the
20 department of public welfare abolished by this act or of any
21 city or town board or office abolished by this act shall be per-
22 formed by the department of public welfare established by this
23 act or by an administrative unit, officer or employee thereof
24 acting under authority of law. This act shall not affect any
25 renewal provisions or option to renew contained in any such
26 lease in existence on the effective date of this act, all of which
27 on the effective date of this act shall be transferred to and
28 thereafter may be exercised by the department. All property
29 held in trust by city or town boards and officers abolished by
30 this act, or by members thereof, shall continue to be held in
31 trust, and be administered in accordance with the terms of
32 such trust, by trustees appointed by any court of competent
33 jurisdiction upon application of a city or town for such ap-
34 pointment or for instructions in connection therewith.

1 Section 83. On or before the effective date of this act, the
2 local boards of public welfare shall, at the request of the de-
3 partment, transfer by deed, assignment or otherwise, all real
4 or personal property which has been acquired with state or
5 federal financial participation, and all rights of whatever na-
6 ture or description therein, of which they have title or custody
7 to the benefits of which they are entitled, to the department
8 of public welfare. The consideration, if any, for such a trans-
9 fer shall be determined by the commissioner of administration.

1 Section 84. From and after the effective date of this sec-
2 tion, the commissioner of public welfare may enter into con-
3 tracts, leases and agreements with cities and towns, other
4 state agencies, private individuals, private agencies and agen-
5 cies of the Federal Government for the purpose of effecting an
6 orderly transfer of the administration of public welfare pro-
7 grams in accordance with this act.

8 From and after the effective date of this section, no city or
9 town shall employ or hire any additional employees in the
10 boards or offices administering public welfare programs to per-
11 form any services which, upon the effective date of this act,
12 will be performed by the department of public welfare estab-
13 lished by this act, or execute any contract or lease, or make
14 any purchase relating to such programs without the prior
15 written approval of the department of public welfare. In order
16 to accomplish the said transaction and in order to promote
17 the efficient administration of the work of the department
18 established under Section 1 of Chapter 18 inserted by Section 1 of this act and its programs, contracts and agreements entered into under this section to effect such transition may be for a term of up to three years from the effective date of this section.

23 On the effective date of this section, twelve members of the State Advisory Board, established under Section (6A) of said Chapter 18 shall be appointed forthwith by the Governor; provided that, of such appointees, five shall be made from the faculties of colleges and universities and shall include a public administration specialist, a regional planning specialist, a community organization specialist, a social worker and an economist. The commissioner of public welfare in office on such date shall serve as member ex officio until the appointment of a Commissioner under the said Chapter 18.

33 The State Advisory Board so constituted shall forthwith enter upon the duty of consultation with the commissioner of public welfare on the number and location of the community service centers, branches and outposts to be established under Section 5 of the said Chapter 18.

38 The commissioner of public welfare in office on the effective date of this section shall establish community service centers, branches and outposts, each of which shall provide a comprehensive public welfare program as defined in Section 2 of said Chapter 18, readily available to families, children, the aging, the disabled, and all others in the area who are in need of social welfare services. The centers shall provide opportunities for involvement of residents of the area in the work of the center and for their representation on the community service boards established under Section 6 (B) of said Chapter 18.

49 In planning the location of the community service centers, their branches and outposts, and in designating the areas to be covered by each, the commissioner and the State Advisory Board shall take into account such factors as the following:

54 (a) Size of Population

55 The population of the area should be large enough to
warrant the provision of the full range of public welfare services but small enough to avoid the disadvantages of cumbersome administrative structure and loss of identification with the people and interests of each city or town of the area to be served.

(b) **Density of Population**

Densely populated areas will require more centers and branches in relation to their geographic size than will sparsely populated areas.

(c) **Relative Need for Service**

Areas known to have a high proportion of families and individuals in need of public welfare services will require more centers and branches than those where there are fewer problems.

(d) **Availability of Public Transportation**

Areas where public transportation is largely lacking or not easily accessible will require the establishment of outpost units to make the service available promptly to citizens in outlying communities.

(e) **Special Needs of Isolated Communities**

Centers covering isolated communities will have to have available a fuller range of services and more staff than those located in communities with ready access to the resources of other agencies.

(f) **Effective Deployment of Staff**

The available staff must be deployed effectively throughout the commonwealth in the centers in order that each center shall possess the necessary number of staff workers and the range of skills required. The deployment of staff will necessarily affect the number and distribution of centers in the transitional period.

In addition to considering the aforesaid factors, the commissioner and the State Advisory Board shall consult with the health and welfare commission established under section 125 of Chapter 6 of the General Laws and with other state de-
partments with a view to coordinating the plan for the location of community service centers and the establishment of areas with the present or projected plans of other state departments for coverage of the commonwealth through area and regional units. Such joint consultation should result in the greatest possible degree of uniformity in regions and areas used by all state departments for the administration of services to families and individuals. Insofar as possible, the recommendations of the health and welfare commission shall be adopted by the commissioner and the location of the community service centers, their branches and outposts shall be initially determined within six months of the effective date of this section or by December 1, 1967, whichever shall be the later date.

1 Section 85. The provisions of this act are severable and if any provisions shall be held unconstitutional by any court of competent jurisdiction, the decisions of such court shall not affect or impair any of the remaining provisions.

1 Section 86. Nothing in this act shall be deemed to abolish boards or offices performing veterans' services or administering aid to the blind or the Massachusetts Rehabilitation Commission.

1 Section 87. All unexpended balances of monies heretofore appropriated for the department of public welfare abolished by this act shall be immediately available for expenditures by the department of public welfare created by this act.

1 Section 88. The effective date of this act shall be July 1, 1968, except that section 6(A) of Chapter 18 of the General Laws inserted by section 1 of this act and Section 84 of this act shall take effect upon its passage.