

SENATE No. 728

By Mr. Burke, a petition (accompanied by bill, Senate, No. 728) of John P. Burke and Martin T. Reilly for legislation to develop a system of timely payments for Executive Office of Human Services contractors. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-one.

AN ACT DEVELOPING A SYSTEM OF TIMELY PAYMENTS FOR EOHS
CONTRACTORS.

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. For the purposes of this Act: —

2 “Agency” means an agency listed in Chapter 6A of Section
3 16 of Chapter 6A of the General Laws.

4 “EOHS” means the Executive Office of Human Services es-
5 tablished in Chapter 6A of the General Laws.

6 “Pre-audit means an audit prior to payment. In a pre-
7 audit the regional agency matches the invoice supplied by the
8 contractor against the contract. A pre-audit does not dis-
9 charge contractual obligations.

10 “Secretary” means the office of the Secretary: an EOHS
11 agency as listed in Chapter 6A Section 16 of the General
12 Laws.

1 SECTION 2. In order to contract with an EOHS agency, a
2 provider of goods or services must: —

3 (A) qualify as a charitable corporation under chapter 180
4 of the General Laws; and

5 (b) receive fifty percent or more of its gross income from
6 the commonwealth.

1 SECTION 3.

2 (a) An agency may pay only for services actually rendered
3 and documented by the contractor. The contractor may elect

4 one of the following procedures: —

5 i. submit vouchers documenting completion of work on the
6 30th of each month in return for a monthly payment; or

7 ii. submit vouchers documenting completion of work on the
8 15th and 30th of each month in return for bi-weekly pay-
9 ments.

10 (b) In the case of cost reimbursement contracts, the con-
11 tractor shall submit to the agency invoices with bills at-
12 tached. The agency shall determine that invoices and bills
13 comply with contract provisions. The contractor need not
14 pay cost reimbursement bills before submitting them to the
15 agency.

16 (c) In the case of units of service contracts, the contractor
17 shall submit to the agency vouchers with supporting docu-
18 mentation required by the agency covering the number of
19 units of service provided. The agency shall insure that the
20 contractor has provided services to authorized recipients and
21 that the supporting documentation supplied conforms to the
22 voucher.

1 SECTION 4. Following receipt of a voucher from the con-
2 tractor, the agency shall pre-audit the voucher, and within
3 ten days either: —

4 (a) deliver a check to the contractor; or

5 (b) deliver written notification to the contractor stating
6 reasons for non-payment or delay in payment.

1 SECTION 5. A contractor aggrieved by an agency decision
2 may, within ten days of the issuance of that decision, appeal
3 to the agency head. A contractor aggrieved by the decision
4 of an agency head may within ten days of the issuance of
5 that decision, appeal to the Secretary. An appeal must be in
6 writing, setting forth in detail the aggrieved party's argu-
7 ments. The agency and the Secretary shall issue all decisions
8 in writing and set forth the reasons for each decision. Such
9 appeals shall not be subject to Chapter 30A of the General
10 Laws. The decision of the Secretary shall be final.

1 SECTION 6. When the date for submission of either a vouch-

2 er or a payment falls on a Saturday, Sunday or a holiday, the
3 contractor shall submit the voucher on the first legal working
4 day following that Saturday, Sunday or holiday.

1 SECTION 7. Nothing in this bill shall discharge either the
2 contractor or the state from obligations based on the contract
3 between them.

The first part of the history is a general account of the state of the country at the beginning of the reign of King Charles the First. It describes the political and religious situation, and the various factions that were at work in the kingdom.

The second part of the history is a detailed account of the reign of King Charles the First, from the year 1625 to the year 1649. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The third part of the history is a detailed account of the reign of King Charles the Second, from the year 1660 to the year 1685. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The fourth part of the history is a detailed account of the reign of King James the Second, from the year 1685 to the year 1702. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The fifth part of the history is a detailed account of the reign of King William the Third, from the year 1689 to the year 1702. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The sixth part of the history is a detailed account of the reign of King George the First, from the year 1714 to the year 1727. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The seventh part of the history is a detailed account of the reign of King George the Second, from the year 1727 to the year 1760. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The eighth part of the history is a detailed account of the reign of King George the Third, from the year 1760 to the year 1800. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.

The ninth part of the history is a detailed account of the reign of King George the Fourth, from the year 1800 to the year 1830. It describes the various events that took place during his reign, and the various factions that were at work in the kingdom.