



THE COLLABORATIVE:  
Strengthening Human Services

# Chapter 257

## Ensuring Access to Quality Human Services

# *The Collaborative*

- A coalition established in early 2000s by ABH, ADDP and the Providers' Council. The Children's League joined in 2019
- Purpose: to ensure human services organizations are paid fair and adequate rates by creating a formal rate-setting mechanism through legislation



# History

- Prior to 2007, *The Collaborative* advocated for the Romney Administration to commission a study of the “Financial Health of Providers in the MA Human Services System”
- Report served as foundation for grassroots advocacy campaign to pass a fair rate-setting law during the 2007-2008 legislative session.
- The Collaborative engaged legal counsel to draft *Senate Bill 65* - legislation to achieve:
  - Fair and adequate rates
  - Periodic rate adjustments based on costs including inflation
  - Process for public input and appeals of rate-setting decisions
- Trades and member organizations made passage of *Senate 65* the number one public policy priority – putting aside all others



# Chapter 257 of the Acts of 2008

- Senate Bill 65 passed unanimously by Legislature in June 2008
- It was signed into law by Gov. Patrick in August 2008 becoming *Chapter 257 of the Acts of 2008*
- The legislation:
  - Charged state rate-setting agency with transparently setting rates through a public hearing process
  - Required a process for reviewing rates every two years through state regulation
  - Gave human service organizations the right to appeal rate setting decisions



# Campaign Success Factors

- ✓ Financial health facts identified in the report
- ✓ Focused grassroots campaign targeting legislators in their home districts
- ✓ Strong relationships of trade association leaders with the Legislature
- ✓ Decision to make passage of bill the top priority for all trades and their members



# Implementation Challenges

- The bill was to be fully implemented within nine months
- Patrick Administration proposed 10-year phase-in
- After negotiations with *The Collaborative*, the Patrick Administration agreed to a four-year implementation timeline
- However, the Administration had fallen behind the milestones as mandated in the law in 2010.



# Implementation Challenges (Cont'd)

- The Exec. Office of Health and Human Services asked for more time to comply with the law.
- *The Collaborative* negotiated a two-year extension in return for:
  - Legislative language prohibiting EOHHS from releasing procurements without a rate first being set
  - Creation of a Chapter 257 Provider and Consumer Advisory Council (PCAC)



# First Big Win

In 2013, EOHHS set rates for Adult Long-Term Residential (ALTR) services purchased by Department of Developmental Services (DDS), resulted in an investment of over \$200M in new funding.

***This was the direct result of DDS leadership using the law to secure increased resources for its service delivery system.***



# New Challenges

Despite ongoing policy and legal advocacy, the Commonwealth's perspective in 2014 was:

- Rate setting and adjustments mandated by Chapter 257 were “subject to appropriation”
- Deadlines were “aspirational”



# Action

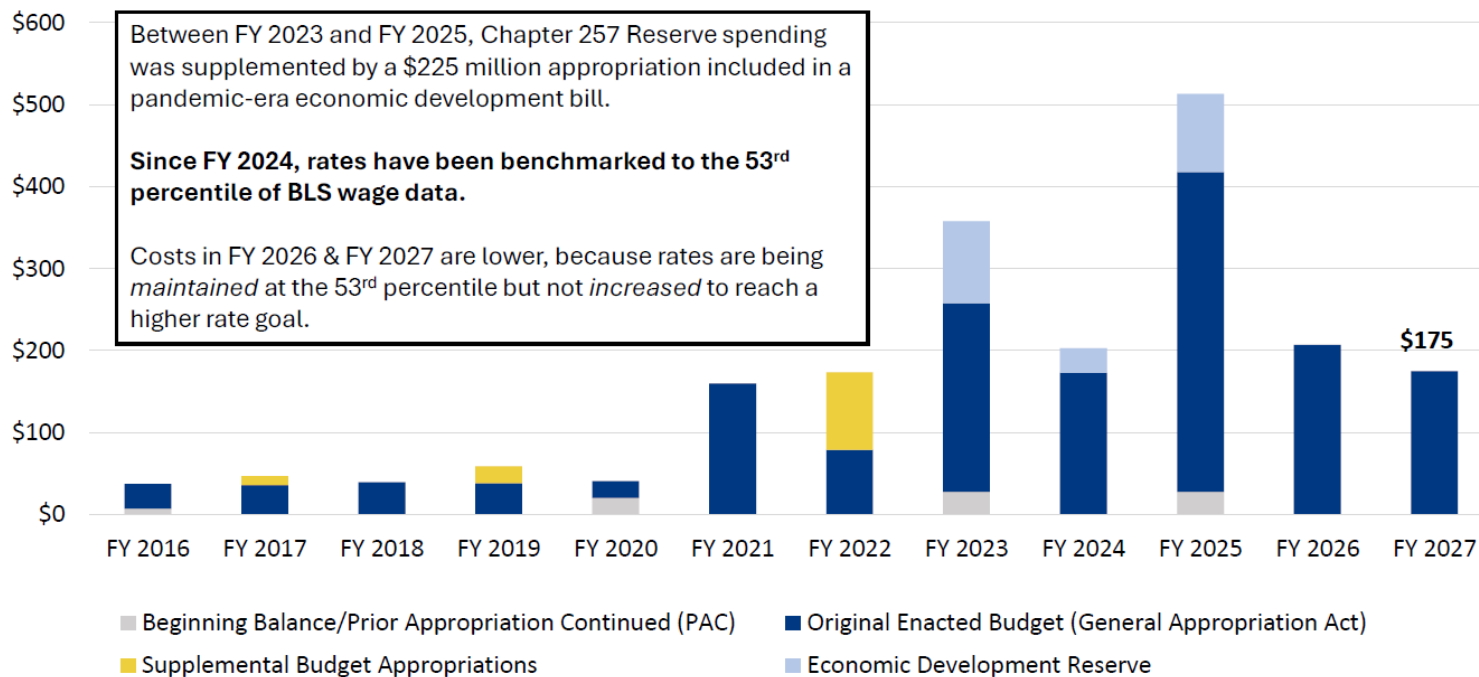
- *Collaborative* attorneys drafted legal complaint charging the Patrick Administration with failure to comply with Chapter 257
- Administration refused to make any changes
- Lawsuit filed September 2014
- Court ruled in favor of *The Collaborative* in early 2015, as Gov. Baker took office
- *The Collaborative* and Baker Administration agreed to an extended compliance deadline in return for interim rate adjustments for services that had not yet had rates set under Chapter 257



# Since passage of the law

Over \$2 billion in new funding has been added to the POS system, the majority after *The Collaborative* sued the state in 2014

*Chapter 257 Reserve Funding History*



SOURCE:  
Massachusetts  
Taxpayers  
Foundation chart,  
2026



# FY '25 Historic Investment in Chapter 257 Rates

- \$390M in Chapter 257 Rate Reserve
- Additional \$90M from FY '23 Economic Development Law
- 20%+ increase in rates for services reviewed for FY '25 (larger volume year)
- Salary benchmarks for all positions, including direct care staff, currently at the MA BLS 53<sup>rd</sup> percentile



# Recent Rate Increases

- DDS

• Adult Long Term Residential	July 2024	20.03%	\$322M
• Community Based Day	July 2025	9.32%	\$17.8M
• Supported Employment	July 2025	16.16%	\$9.1M

- DMH

• Adult Community Clinical Services	July 2024	21.52%	\$78.6M
• Clubhouse Services	Jan. 2026	2.74%	\$891K
• Certain Respite Services	July 2025	15.6%	\$5.2M

- DPH

• Certain Substance Related & Addictive Disorders	July 2025	13.11%	\$9.76M
• Early Intervention	July 2026	9.46%	\$3.17M
• Family Transitional Support	July 2024	18.42%	\$3.4M
• Sexual & Domestic Violence Services	July 2025	11.36%	\$4.8M

- AGE (formerly Elder Affairs)

• Certain Elder Care Services	Jan. 2026	6.85%	\$10.72M
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# Recent Rate Increases

• DYS				
• Youth Intermediate-Term Stab	Jan. 2026	5.77%	\$3.3M	
• DCF				
• Family Stabilization Services	Jan. 2026	14.42%	\$37.98M	
• Certain Placement Support	July 2024	20.95%	\$42.44M	
• Youth/Young Adult Support	July 2025	8.79%	\$18.4M	
• Lead Agency Services	July 2025	14.01%	\$2.55M	
• DTA				
• Young Parent program	July 2024	14.8%	\$703K	
• Multiagency				
• In-Home Basic Living Supports	July 2024	22.60%	\$14.65M	
• CIES	July 2024	15.85%	\$3.64M	
• Youth S-T Stab/Emergency	Oct. 2024	11.51%	\$620K	
• Independent Living Comm.	July 2025	10.14%	\$849K	

# CHAPTER 257: Ensuring Access to Quality Human Services

## Timeline

- **2000:** Collaborative formed to advocate for payment reform - legislation filed
- **2008:** Ch. 257 unanimously passed & signed into law
- **2014:** Due to limited progress to implement 257, the Collaborative filed a lawsuit forcing EOHHS to comply with law
- **2015:** Court rules EOHHS must implement Chapter 275 by June 30<sup>th</sup>, 2015
- **2015-present:** Rates adjusted every 2 years in accordance with the law

## Primary Goals

- Fair Funding
- Transparent Process
- Regular Rate Reviews
- Right of appeal

## Program Types

- Mental Health & Substance Use
- Disability Services
- Family Supports
- Elder & Adult Day Care
- Youth Services
- Housing & Residential
- Intellectual / Developmental Disability

**CHAPTER 257**  
Historic law that requires Massachusetts pays fair & adequate rates for essential human services.

## Accomplishments

- Approximately \$2 billion in new funds since 2014
- Every 2 years human service rates are reviewed through public process
- Rates must be set before releasing RFR
- Allows for rate appeals
- Salaries benchmarked to Bureau of Labor Statistics
- Must take into account reasonable cost of existing & new mandates
- Rates are adjusted for inflation
- Opportunity to advocate for rates

## The Collaborative Partners

- Association for Behavioral Healthcare (ABH)
- Association for Developmental Disabilities Providers (ADDP)
- Children's League of MA
- Providers' Council



# Q & A



# Contact Information for *The Collaborative*

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