

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo M. Scaccia

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to providing appropriate medical care for persons in mental health facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Angelo M. Scaccia	14th Suffolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1902 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PROVIDING APPROPRIATE MEDICAL CARE FOR PERSONS IN MENTAL HEALTH FACILITIES.

*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 first paragraph of Section 4 of chapter 123 of the General Laws, as appearing in
2 the 1998 Official Edition, is hereby amended by striking out, in lines 22, 23 and 24, the words “physical
3 examination by a physician licensed under the provisions of chapter one hundred and twelve” and
4 inserting in place thereof the words:— comprehensive physical examination by a physician licensed
5 under the provisions of chapter one hundred and twelve upon admission and.

6 SECTION 2. Said Section 4 of said chapter 123, as so appearing, is hereby further amended by inserting
7 after the first paragraph the following two paragraphs: —
8 During an admission examination, periodic physical examination and on a continuing basis, the
9 examining physician shall identify all persons who require intermediate nursing services, skilled nursing
10 services, chronic disease hospital services or rehabilitation hospital services, as referred to in the
11 regulations promulgated by the department of public welfare, regardless of any person’s need to have
12 such service provided in an institutional setting. Upon such identification, a report of the same shall be

13 made by such physician to the commissioner, who shall maintain statistical records regarding such
14 persons.

15 The department of mental health shall provide an individual service plan for every person so identified
16 within thirty days of such identification, which plan shall be written pursuant to the standards and
17 procedures established in the rules and regulations of said department, relative to the standards by which
18 an individual may request and receive mental health services and which shall note each of the person's
19 physical health care needs. Each service plan shall provide for services in the most age appropriate and
20 disability appropriate setting consistent with the mental health needs of each person.

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