

SENATE No. 1041

The Commonwealth of Massachusetts

PRESENTED BY:

Joan B. Lovely

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 adoption of the accompanying bill:

An Act relative to minimizing suffering during the commitment process.

PETITION OF:

NAME:

Joan B. Lovely

DISTRICT/ADDRESS:

Second Essex

SENATE No. 1041

By Ms. Lovely, a petition (accompanied by bill, Senate, No. 1041) of Joan B. Lovely for legislation relative to minimizing suffering during the commitment process. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to minimizing suffering during the commitment process.

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 35 of chapter 123 of the General Laws, as appearing in the 2020 Official Edition,
2 is hereby amended by striking, in lines 43-45 the words:- "The court shall order examination by a
3 qualified physician, a qualified psychologist or a qualified social worker", and inserting in place
4 thereof the following:-

5 Upon appearance or apprehension, the court shall have the individual examined by a
6 physician or a qualified advanced practice registered nurse designated to have the authority to
7 admit to a facility. If the physician or qualified advanced registered nurse reports that the failure
8 to hospitalize or provide medical treatment to the individual would create a likelihood of serious
9 harm, the court shall order the individual with alcohol or substance use disorder to be committed
10 to a facility designated by the department of public health for treatment during the pendency of
11 the petition.