HOUSE DOCKET, NO. 1658 FILED ON: 1/17/2013

HOUSE . . . . . No. 1794

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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:

An Act to ensure full and equal access to services from the Department of Mental Health for individuals with Autism Spectrum Disorder and related conditions who otherwise meet the eligibility criteria for the Department of Mental Health Services .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
James J. O'Day	*14th Worcester*
Ruth B. Balser	*12th Middlesex*
Bruce J. Ayers	*1st Norfolk*
John J. Binienda	*17th Worcester*
Thomas P. Conroy	*13th Middlesex*
Edward F. Coppinger	*10th Suffolk*
Mark J. Cusack	*5th Norfolk*
Marjorie C. Decker	*25th Middlesex*
Marcos A. Devers	*16th Essex*
Geoff Diehl	*7th Plymouth*
Stephen L. DiNatale	*3rd Worcester*
James J. Dwyer	*30th Middlesex*
Carolyn C. Dykema	*8th Middlesex*
Tricia Farley-Bouvier	*3rd Berkshire*
Ryan C. Fattman	*18th Worcester*

Robert F. Fennell	*10th Essex*
Ann-Margaret Ferrante	*5th Essex*
Sean Garballey	*23rd Middlesex*
Colleen M. Garry	*36th Middlesex*
Thomas A. Golden, Jr.	*16th Middlesex*
Kenneth I. Gordon	*21st Middlesex*
Danielle W. Gregoire	*4th Middlesex*
Sheila C. Harrington	*1st Middlesex*
Jonathan Hecht	*29th Middlesex*
Paul R. Heroux	*2nd Bristol*
Bradford Hill	*4th Essex*
Donald F. Humason, Jr.	*4th Hampden*
Bradley H. Jones, Jr.	*20th Middlesex*
Brian A. Joyce	*Norfolk, Bristol and Plymouth*
Louis L. Kafka	*8th Norfolk*
John D. Keenan	*7th Essex*
Peter V. Kocot	*1st Hampshire*
John J. Lawn, Jr.	*10th Middlesex*
Jason M. Lewis	*31st Middlesex*
David Paul Linsky	*5th Middlesex*
Paul McMurtry	*11th Norfolk*
James R. Miceli	*19th Middlesex*
James M. Murphy	*4th Norfolk*
Kevin J. Murphy	*18th Middlesex*
David M. Nangle	*17th Middlesex*
Jerald A. Parisella	*6th Essex*
William Smitty Pignatelli	*4th Berkshire*
Angelo J. Puppolo, Jr.	*12th Hampden*
David M. Rogers	*24th Middlesex*
Dennis A. Rosa	*4th Worcester*
Tom Sannicandro	*7th Middlesex*
Paul A. Schmid, III	*8th Bristol*
John W. Scibak	*2nd Hampshire*
Carl M. Sciortino, Jr.	*34th Middlesex*
Todd M. Smola	*1st Hampden*
Thomas M. Stanley	*9th Middlesex*
Aaron Vega	*5th Hampden*
Chris Walsh	*6th Middlesex*
Denise Andrews	*2nd Franklin*

James Arciero	*2nd Middlesex*
Cory Atkins	*14th Middlesex*
Thomas J. Calter	*12th Plymouth*
James M. Cantwell	*4th Plymouth*
Alice Hanlon Peisch	*14th Norfolk*
Sarah K. Peake	*4th Barnstable*
Randy Hunt	*5th Barnstable*

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HOUSE . . . . . No. 1794

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1794) of Kay Khan and others for legislation to ensure access to Department of Mental Health services for certain individuals with autism spectrum disorder and related conditions. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

An Act to ensure full and equal access to services from the Department of Mental Health for individuals with Autism Spectrum Disorder and related conditions who otherwise meet the eligibility criteria for the Department of Mental Health Services .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1:

Section 1 of Chapter 123 as appearing in the 2010 Official Edition, is hereby amended by inserting the following definitions after line 36:

Autism Spectrum Disorder; An individual must meet criteria A, B, C and D: A. Persistent deficits in social communication and social interaction across contexts, not accounted for by general developmental delays, and manifest by all 3 of the following: Deficits in social-emotional reciprocity; ranging from abnormal social approach and failure of normal back and forth conversation through reduced sharing of interests, emotions, and affect and response to total lack of initiation of social interaction. Deficits in nonverbal communicative behaviors used for social interaction; ranging from poorly integrated- verbal and nonverbal communication, through abnormalities in eye contact and body-language, or deficits in understanding and use of nonverbal communication, to total lack of facial expression or gestures. Deficits in developing and maintaining relationships, appropriate to developmental level (beyond those with caregivers); ranging from difficulties adjusting behavior to suit different social contexts through difficulties in sharing imaginative play and in making friends to an apparent absence of interest in people. B. Restricted, repetitive patterns of behavior, interests, or activities as manifested by at least two of the following: Stereotyped or repetitive speech, motor movements, or use of objects; (such as simple motor stereotypies, echolalia, repetitive use of objects, or idiosyncratic phrases).

Excessive adherence to routines, ritualized patterns of verbal or nonverbal behavior, or excessive resistance to change; (such as motoric rituals, insistence on same route or food, repetitive questioning or extreme distress at small changes). Highly restricted, fixated interests that are abnormal in intensity or focus; (such as strong attachment to or preoccupation with unusual objects, excessively circumscribed or perseverative interests). Hyper-or hypo-reactivity to sensory input or unusual interest in sensory aspects of environment; (such as apparent indifference to pain/heat/cold, adverse response to specific sounds or textures, excessive smelling or touching of objects, fascination with lights or spinning objects). C. Symptoms must be present in early childhood (but may not become fully manifest until social demands exceed limited capacities). D. Symptoms together limit and impair everyday functioning.

Conditions related to Autism Spectrum Disorder; These shall include but not be limited to Social Communication Disorder, Asperger's Disorder, and Pervasive Developmental Disorder Not Otherwise Specified.

SECTION 2:

Chapter 123 is hereby amended by inserting the following new section-

Section 2A; The Department of Mental Health will provide emergency, crisis, acute care, and ongoing treatment and support for people with Autism Spectrum Disorder and related conditions, who otherwise meet the eligibility criteria for DMH services.

These services will be designed to meet the needs of individuals with Autism Spectrum Disorder and related conditions. They will be provided by clinicians who have training and expertise in Autism Spectrum Disorders and related conditions.

For individuals with Autism Spectrum Disorder or a related condition who have co-occuring mental health issues, DMH will work closely with the Department of Developmental Services to determine the responsible agency for delivery of service.

SECTION 3:

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by striking "mentally ill and persons with an intellectual disability" on line 10 and inserting in place thereof the words-

persons with mental illness and intellectual or developmental disabilities

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by striking "mentally ill and mentally retarded individuals" on line 15 and inserting in place thereof the words-

persons with mental illness and intellectual or developmental disabilities

53 Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by
54 striking “a person with an intellectual disability and mentally ill” on line 17 and inserting in
55 place thereof the words-

56 a person with an intellectual or developmental disability and a mental illness

57 Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by
58 inserting, on line 31 following “intellectual disability”, the words-

59 or a developmental disability.