SENATE DOCKET, NO. 781 FILED ON: 1/17/2013

SENATE . . . . . No. 909

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer L. Flanagan

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 disorders and related conditions who otherwise meet the eligiblity criteria for DMH services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jennifer L. Flanagan	*Worcester and Middlesex*
William N. Brownsberger	*Second Suffolk and Middlesex*
Michael J. Rodrigues	*First Bristol and Plymouth*
Richard J. Ross	*Norfolk, Bristol and Middlesex*
John F. Keenan	*Norfolk and Plymouth*
Michael Barrett	*Third Middlesex*
Thomas M. McGee	*Third Essex*
Stephen L. DiNatale	*3rd Worcester*
Kimberly N. Ferguson	*1st Worcester*
Todd M. Smola	*1st Hampden*
Angelo J. Puppolo, Jr.	*12th Hampden*
Thomas M. Stanley	*9th Middlesex*
Sal N. DiDomenico	*Middlesex and Suffolk*
James B. Eldridge	*Middlesex and Worcester*
Michael R. Knapik	*Second Hampden and Hampshire*
John D. Keenan	*7th Essex*

Kenneth J. Donnelly	*Fourth Middlesex*
Karen E. Spilka	*Second Middlesex and Norfolk*
Michael O. Moore	*Second Worcester*
James E. Timilty	*Bristol and Norfolk*
Patricia D. Jehlen	*Second Middlesex*
Bruce J. Ayers	*1st Norfolk*
Anthony W. Petruccelli	*First Suffolk and Middlesex*
Eileen M. Donoghue	*First Middlesex*
Denise Andrews	*2nd Franklin*
Kathleen O'Connor Ives	*First Essex*

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By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 909) of Jennifer L. Flanagan, William N. Brownsberger, Michael J. Rodrigues, Richard J. Ross and other members of the General Court for legislation relative to services for individuals with autism spectrum disorder. 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 disorders and related conditions who otherwise meet the eligiblity criteria for DMH 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:

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:

1. 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.

2. 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.

3. 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

19 B. Restricted, repetitive patterns of behavior, interests, or activities as manifested by at
20 least two of the following:

21 1. Stereotyped or repetitive speech, motor movements, or use of objects; (such as
22 simple motor stereotypies, echolalia, repetitive use of objects, or idiosyncratic phrases).

23 2. Excessive adherence to routines, ritualized patterns of verbal or nonverbal
24 behavior, or excessive resistance to change; (such as motoric rituals, insistence on same route or
25 food, repetitive questioning or extreme distress at small changes).

26 3. Highly restricted, fixated interests that are abnormal in intensity or focus; (such as
27 strong attachment to or preoccupation with unusual objects, excessively circumscribed or
28 perseverative interests).

29 4. Hyper-or hypo-reactivity to sensory input or unusual interest in sensory aspects of
30 environment; (such as apparent indifference to pain/heat/cold, adverse response to specific
31 sounds or textures, excessive smelling or touching of objects, fascination with lights or spinning
32 objects).

33 C. Symptoms must be present in early childhood (but may not become fully manifest
34 until social demands exceed limited capacities)

35 D. Symptoms together limit and impair everyday functioning

36 Conditions related to Autism Spectrum Disorder

37 These shall include but not be limited to Social Communication Disorder, Asperger's
38 Disorder, and Pervasive Developmental Disorder Not Otherwise Specified.

39 SECTION 1A:

40 Chapter 123 is hereby amended by inserting the following Section:

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

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

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

50 SECTION 2:

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

54 persons with mental illness and intellectual or developmental disabilities

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

58 persons with mental illness and intellectual or developmental disabilities

59 Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by
60 striking “a person with an intellectual disability and mentally ill” on line 16 and inserting in
61 place thereof the words-

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

63 Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by
64 inserting, on line 30 following “intellectual disability”, the words-

65 or a developmental disability,