

HOUSE No. 117

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 adoption of the accompanying bill:

An Act to provide notice to counsel of changes in a child's or a young adult's placement and other events.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Kay Khan

11th Middlesex

Marcos A. Devers

16th Essex

HOUSE No. 117

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 117) of Kay Khan and Marcos A. Devers for legislation to require the Department of Children and Families to provide notice to counsel of changes in a child’s or a young adult’s placement and other events. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to provide notice to counsel of changes in a child’s or a young adult’s placement and other events.

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. Section 29 of chapter 119 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting after the second paragraph the following
3 paragraphs:

4 No later than five business days before any non-emergency change in a child’s or a
5 young adult’s placement or any non-emergency hospitalization, and no later than one business
6 day after any emergency change in a child’s or a young adult’s placement or any emergency
7 hospitalization, the department shall provide notice of the change in placement or hospitalization
8 to the child’s or the young adult’s attorney.

9 No later than the first business day thereafter, the department shall provide notice to a
10 child’s attorney if it receives a report under section 51A and the child is the subject of the report.
11 No later than the first business day thereafter, the department shall provide notice to a child’s
12 attorney or a young adult’s attorney if it receives a report under section 51A that raises
13 substantial questions regarding the suitability of the child’s or young adult’s current placement or
14 any of the child’s or young adult’s service providers.

15 No later than the first business day thereafter, the department shall provide notice to a
16 child’s or young adult’s attorney whenever it becomes aware of: 1) the child or young adult
17 being arrested; 2) the child’s or young adult’s potential involvement in any proceeding under this
18 chapter or any criminal investigation or proceeding; (3) the child or young adult being suspended

19 from school; or (4) the child or young adult being the subject of any proceeding that could result
20 in his or her suspension or expulsion from school.

21 SECTION 2. The department of children and families shall promulgate regulations to
22 implement section 1 of this act no later than six months from the effective date of this act.