HOUSE DOCKET, NO. 1866 FILED ON: 1/17/2013

HOUSE . . . . . No. 1795

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 regarding mental health services for families and children engaged in services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
Paul J. Donato	*35th Middlesex*
Karen E. Spilka	*Second Middlesex and Norfolk*
Denise Andrews	*2nd Franklin*
Ruth B. Balser	*12th Middlesex*
Marcos A. Devers	*16th Essex*
Carolyn C. Dykema	*8th Middlesex*
Ann-Margaret Ferrante	*5th Essex*
Sean Garballey	*23rd Middlesex*
Mary S. Keefe	*15th Worcester*
Frank I. Smizik	*15th Norfolk*
Bruce E. Tarr	*First Essex and Middlesex*

HOUSE DOCKET, NO. 1866 FILED ON: 1/17/2013

HOUSE . . . . . No. 1795

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1795) of Kay Khan and others relative to conducting a review of mental health and substance abuse services for families and children in the care of the Commonwealth. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act regarding mental health services for families and children engaged in 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. Chapter 240 of the General Laws of the Act's of 2012 is hereby amended by inserting after section 30 the following section:-

SECTION 30A. (a) The department of mental health in collaboration with the department of youth services and the department of public health is hereby authorized and directed to conduct a comprehensive review of the mental health and substance abuse service needs of adolescents in the care of or detained in the commonwealth through the order of a juvenile court, including without limitation juveniles detained in the department of youth services or in the custody of the department of social services, or receiving services from the department of mental health, the court clinics, probation, or otherwise, and including without limitation any such departments, offices, agencies or instrumentalities of the commonwealth, and any private organizations and agencies operating under arrangement with departments or agencies of the commonwealth. To complete said review, the department of mental health, department of youth services, and department of public health shall solicit input from the office of probation, the department of social services, the department of education, the juvenile court, juvenile court clinics, the committee for public counsel services, the department of mental retardation, the division of insurance, the division of medical assistance, the Massachusetts Association of District Attorneys, at least one individual representing the interests of parents and families, at least one advocate for juvenile justice, at least one representative of a service provider community, and at least one representative from the Massachusetts Association of Health Plans. Said review shall be for purposes of identifying the following:

21 (i) existing and proposed models of alternatives to detention, within and outside the
22 commonwealth, of providing mental health and substance abuse services to juveniles in
23 detention, and as alternatives to detention; community resources and other dependencies which
24 affect the appropriateness and effectiveness of models of alternatives to detention; and data
25 demonstrating the relative efficacy, cost-effectiveness, and effect on public safety of alternative
26 models;

27 (ii) unmet mental health and substance abuse needs of juveniles within the juvenile court
28 systems of the commonwealth, including an explicit comparison of the best practices and models
29 identified in paragraph (a) of this section with services and models available in the
30 commonwealth;

31 (iii) recommendations for addressing unmet needs, including without limitation through
32 the court clinics of the juvenile courts, and through contracting by the department of mental
33 health for community-based services through community providers, or through consortia of
34 community providers, local government agencies and others operating in congruence with local
35 courts involved in the juvenile justice system.

36 (b) Within sixty days after the effective date hereof, the department shall post to its
37 external website, for thirty days public comment, a proposed work plan to gather information
38 necessary to prepare the report required by this section, in consultation with clinical,
39 philanthropic and advocacy organizations for children, and providers of mental health and
40 substance abuse services for minors. The proposed work plan shall be directed to submit a final
41 report to the legislature and the governor no later than two hundred and seventy days after the
42 effective date of this act.

43 (c)Within ninety days after the effective date of this act, the department shall post its final
44 work plan on its external website.

45 (d) Within two hundred and ten days after the effective date of this act, the department
46 shall post on its external website, for public comment, a draft report responsive to this section.

47 (e) Within two hundred and seventy days after the effective date of this act, the
48 department shall post on its external website a final report responsive to this section, including a
49 summary of all public comments received, and responses to such comments. The department
50 shall also that day provide a copy of its final report to the governor, the president of the senate,
51 the speaker of the house of representatives, the chairs of the joint committees on mental health
52 and substance abuse, and children and families, and the legislative mental health caucus.