

SENATE No. 1046

The Commonwealth of Massachusetts

PRESENTED BY:

Barbara A. L'Italien

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 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 eligibility criteria for DMH services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Barbara A. L'Italien	Second Essex and Middlesex
Angelo J. Puppolo, Jr.	12th Hampden
Tom Sannicandro	7th Middlesex
David M. Rogers	24th Middlesex
Alice Hanlon Peisch	14th Norfolk
Timothy R. Madden	Barnstable, Dukes and Nantucket
Marjorie C. Decker	25th Middlesex
Anne M. Gobi	Worcester, Hampden, Hampshire and Middlesex
James B. Eldridge	Middlesex and Worcester
Brian A. Joyce	Norfolk, Bristol and Plymouth
Joan B. Lovely	Second Essex
Robert L. Hedlund	Plymouth and Norfolk
Marcos A. Devers	16th Essex
Kevin G. Honan	17th Suffolk
Paul R. Heroux	2nd Bristol

Jonathan Hecht

29th Middlesex

SENATE No. 1046

By Mrs. L'Italien, a petition (accompanied by bill, Senate, No. 1046) of Barbara L'Italien, Angelo J. Puppolo, Jr., Tom Sannicandro, David M. Rogers 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

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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 eligibility 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:

1 SECTION 1: Section 1 of Chapter 123 of the General Laws as appearing in the 2012
2 Official Edition, is hereby amended by inserting the following definitions:

3 Autism Spectrum Disorder

4 An individual must meet criteria A, B, C and D:

5 A. Persistent deficits in social communication and social interaction across contexts, not
6 accounted for by general developmental delays, and manifest by all 3 of the following:

7 1. Deficits in social-emotional reciprocity; ranging from abnormal social approach and
8 failure of normal back and forth conversation through reduced sharing of interests, emotions, and
9 affect and response to total lack of initiation of social interaction.

10 2. Deficits in nonverbal communicative behaviors used for social interaction; ranging
11 from poorly integrated- verbal and nonverbal communication, through abnormalities in eye
12 contact and body-language, or deficits in understanding and use of nonverbal communication, to
13 total lack of facial expression or gestures.

14 3. Deficits in developing and maintaining relationships, appropriate to developmental
15 level (beyond those with caregivers); ranging from difficulties adjusting behavior to suit different
16 social contexts through difficulties in sharing imaginative play and in making friends to an
17 apparent absence of interest in people

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

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

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

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

28 4. Hyper-or hypo-reactivity to sensory input or unusual interest in sensory aspects of
29 environment; (such as apparent indifference to pain/heat/cold, adverse response to specific

30 sounds or textures, excessive smelling or touching of objects, fascination with lights or spinning
31 objects).

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

34 D. Symptoms together limit and impair everyday functioning

35 Conditions related to Autism Spectrum Disorder - These shall include but not be limited
36 to Social Communication Disorder, Aspergers Disorder, and Pervasive Developmental Disorder
37 Not Otherwise Specified.

38 SECTION 1A:

39 Chapter 123 of the General Laws is hereby further amended by inserting at the end
40 thereof the following new Section:

41 Section 37: The Department of Mental Health will provide emergency, crisis, acute care,
42 and ongoing treatment and support for people with Autism Spectrum Disorder and related
43 conditions, who 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 occurring 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 of the General Laws as appearing in the 2012 Official Edition is
52 hereby amended by striking “mentally ill and persons with an intellectual disability” and
53 inserting in place thereof the following words-

54 “persons with mental illness and intellectual or developmental disabilities”

55 SECTION 3:

56 Section 21 of Chapter 19 of the General Laws as appearing in the 2012 Official Edition is
57 hereby amended by striking “mentally ill and mentally retarded individuals” and inserting in
58 place thereof the words-

59 “persons with mental illness and intellectual or developmental disabilities”

60 SECTION 4:

61 Section 21 of Chapter of the General Laws as appearing in the 2012 Official Edition is
62 hereby amended by striking “a person with an intellectual disability and mentally ill” and
63 inserting in place thereof the words-

64 “a person with an intellectual or developmental disability and a mental illness”

65 SECTION 5:

66 Section 21 of Chapter 19 of the General Laws as appearing in the 2012 Official Edition is
67 hereby amended by inserting, on line 30 following the words “intellectual disability”, the words-

68 “or a developmental disability,”