

# HOUSE . . . . . No. 3268

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Christopher M. Markey*

*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 relative to medical placement of terminal and incapacitated inmates.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>1/20/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>Mike Connolly</i>	<i>26th Middlesex</i>	
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>David M. Rogers</i>	<i>24th Middlesex</i>	

# HOUSE . . . . . No. 3268

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By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3268) of Christopher M. Markey and others relative to permitting the transfer of a terminally ill or permanently incapacitated inmates. Public Safety and Homeland Security.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
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An Act relative to medical placement of terminal and incapacitated inmates.

*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: Chapter 127 of the General Laws, as appearing in the 2012 Official Edition,  
2 is hereby amended by inserting after section 117A, the following new section:—"Section 117B.  
3 The Commissioner of the Department of Correction or a Sheriff may petition a Court of original  
4 jurisdiction for an Order permitting the transfer of a terminally ill or permanently incapacitated  
5 inmate, as certified by the physician or director of medical care at the correctional facility, to  
6 receive medically appropriate care at an alternative location, which shall include a hospital,  
7 nursing facility, hospice program or other setting where the inmate may receive hospice services  
8 from an entity licensed pursuant to section 57D of chapter 111, or residential care facility,  
9 provided that the transfer is not inconsistent with public safety. The Commissioner or Sheriff  
10 shall monitor all individuals transferred under this section and order the return of the inmate to  
11 the correctional facility if at any time the physician or director of medical services subsequently  
12 determines that the inmate does not have a terminal or permanently incapacitating medical  
13 condition, or that care outside the correctional facility is not medically appropriate.