HOUSE DOCKET, NO. 3107 FILED ON: 1/20/2017

HOUSE . . . . . No. 3607

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce J. Ayers

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 the welfare of children.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Bruce J. Ayers	*1st Norfolk*	*1/20/2017*

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HOUSE . . . . . No. 3607

By Mr. Ayers of Quincy, a petition (accompanied by bill, House, No. 3607) of Bruce J. Ayers that the Norfolk Sheriff's department be authorized to establish a pilot program to provide drug testing services to parents or legal guardians of minor children suspected of illegally using controlled substances. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to the welfare of children.

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. Notwithstanding section 6D of chapter 29 of the General Laws, to establish a pilot program for free drug testing and assistance with counseling and rehabilitative services by the Norfolk Sheriff's department, the sum set forth in section 2 is hereby appropriated from the General Fund to the Norfolk County Sheriff's department.

SECTION 2.

Executive Office of Public Safety and Security

Norfolk Sheriff's Department

8910-XXXX For the Norfolk County Sheriff's department to establish a pilot program for free access to drug testing for parents of minor children, and financial assistance with counseling and rehabilitative services pursuant to section 3 of this act……..$500,000.

SECTION 3. The Norfolk Sheriff's department, hereinafter the department, shall establish a pilot program to provide drug testing services to parents or legal guardians of a minor child who suspect that their minor child may be illegally using controlled substances, and to provide financial assistance towards the cost of counseling and rehabilitative and services to persons who are unable to afford such programs, at the office of community corrections in Quincy, 1 or more days per week.

The drug tests shall be conducted as a urinalysis with results available in 24 to 48 hours from the time of the administration of the test, and shall be administered privately by department staff or other designated persons working with the department, who are qualified to administer such tests.

The department may, at the Sheriff's discretion, offer counseling and rehabilitative services to minors whose results of the drug test are positive, and may provide financial assistance towards the costs of such services for minors and families who cannot afford such services. The department shall develop policies and procedures for providing or recommending such services, including a list of counseling and rehabilitative service providers, and for providing financial assistance, including the establishment of an application process for financial assistance to cover the cost of such counseling and rehabilitative services for minors or families who cannot afford the costs of such services.

The Sheriff's department shall routinely destroy all records of test results obtained through the program and retained by the program staff every 30 days. Results of the drug tests administered pursuant to this pilot program shall remain confidential, and shall only be provided to the minor and their authorized parent or legal guardian; provided, however, that with the

consent of the minor, the department may provide the test results to a counseling or rehabilitative services center, if such minor requests to participate in such services. No information obtained during the course of administering a drug test under this pilot program, and no drug test results shall be used in a criminal prosecution or investigation against the minor subject to such test. Prior to administering the drug test, the staff administering the test shall obtain, in writing, the minor's informed consent, consenting to the administration of the drug test, which shall include a statement of the terms of the test and the confidentiality of the test results as described herein, and consenting to the sharing of the drug test results with a specifically authorized parent or legal guardian.