

HOUSE No. 1708

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day, (BY REQUEST)

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 improve the quality of mental health services, and rights of patients, by providing for sufficient privacy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Vincent Lawrence Dixon</i>		<i>1/16/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/31/2019</i>

HOUSE No. 1708

By Mr. Day of Stoneham (by request), a petition (accompanied by bill, House, No. 1708) of Vincent Lawrence Dixon and Mathew J. Muratore for legislation to improve the quality of mental health services, and rights of patients, by providing for sufficient privacy. Mental Health, Substance Use and Recovery.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to improve the quality of mental health services, and rights of patients, by providing for sufficient privacy.

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. The Massachusetts General Laws are hereby amended by inserting the
2 following new chapter:

3 1.) An Act to improve the quality of mental health services, and rights of patients, by
4 providing for sufficient privacy.

5 2.) All individuals, who present themselves, for mental health services, and/or are
6 admitted for such services, and/or assessment, shall be entitled to a specific private intake
7 room,

8 or physical space, where only they, medical staff, and relevant security, may hear any
9 intake,

10 and/or treatment conversations.

11 3.) These provisions, may not be waived, except in extreme emergency circumstances;

12 which shall be specifically noted, and recorded in a medical record, and the reasons

13 therefore,

14 by responsible medical, and intake staff.

15 4.) In the context, of significant, and substantial reductions in funding, for various

16 medical services, including mental health services, it has occurred that patients being

17 seen for

18 intake, and/or treatment, have been seen in open wards, and/or emergency general

19 settings,

20 without privacy. This can have various effects, in denying privacy, diminishing the

21 provision of

22 needed information between medical staff, and actual or potential patients, and

23 compromising

24 important treatment discussions.

25 5.) It is in the interests of public policy, that such inherent violations, of needed

26 confidentiality, be reduced, and/or eliminated to the extent possible, by various measures.

27 6.) The Massachusetts Department of Public Health, and its Public Health Council

28 (PHC), are hereby authorized to develop, establish, and enforce the needed regulations, to
29 carry
30 out the intent of this legislation.