

HOUSE No. 4531

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 9, 2020.

The committee on Mental Health, Substance Use and Recovery, to whom was referred the petition (accompanied by bill, House, No. 1700) of Ruth B. Balser and others relative to ensuring access to addiction services to residents of secure facilities approved by the Department of Public Health or the Department of Mental Health, reports recommending that the accompanying bill (House, No. 4531) ought to pass.

For the committee,

MARJORIE C. DECKER.

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

An Act ensuring access to addiction 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 35 of chapter 123 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out, in lines 79 to 85, inclusive, the words “(i) a
3 secure facility for women approved by the department of public health or the department of
4 mental health, if a female; or (ii) the Massachusetts correctional institution at Bridgewater or
5 other such facility as designated by the commissioner of correction, if a male; provided,
6 however, that any person so committed shall be housed and treated separately from persons
7 currently serving a criminal sentence” and inserting in place thereof the following words:- (i) a
8 secure facility approved by the department of public health or the department of mental health,
9 but not a jail or correctional facility; or (ii) if the court makes a specific finding that the only
10 appropriate setting for treatment for the person is a secure facility, then the person may be
11 committed to the Massachusetts correctional institution at Bridgewater or other such facility as
12 designated by the commissioner of correction, if said person is a male currently committed to a
13 correctional facility pursuant to an order issued in a pending criminal case under a provision of
14 law other than this section; provided further, that no later than one year after the effective date of

15 this act all men not currently committed to a correctional facility pursuant to an order issued in a
16 pending criminal case under a provision of law other than this section shall be relocated to a
17 facility licensed or approved by the department of public health or the department of mental
18 health that is not a correctional facility or jail.