

HOUSE No. 4928

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 28, 2022.

The committee on Public Safety and Homeland Security to whom was referred the petition (accompanied by bill, House, No. 2213) of Steven G. Xiarhos and others that cities and towns be authorized to establish police department civilian mental health advocate divisions, the petition (accompanied by bill, House, No. 2519) of Lindsay N. Sabadosa and others for legislation to create alternatives for community emergency law enforcement services, and the petition (accompanied by bill, House, No. 4080) of Natalie M. Higgins that the State 911 Department publish on its website a statewide disability indicator form, reports recommending that the accompanying bill (House, No. 4928) ought to pass.

For the committee,

CARLOS GONZÁLEZ.

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In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act to create alternatives for community emergency services (ACES).

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 6A of the General Laws shall be amended by inserting the
2 following new section:-

3 Section 16CC. (a) A city or town may establish a division of civilian mental health
4 advocates to respond to mental health crisis's and provide emergency mental health crisis
5 intervention in situations that do not necessitate the presence of law enforcement personnel. The
6 city or town shall do so pursuant to Section 4 of Chapter 4 of the General Laws and adhere to the
7 following provisions in structuring the division of civilian mental health advocates:-

8 (1) the civilian mental health advocate may provide emergency response in areas where
9 police, fire or ems personnel are not necessary or may accompany a police, fire or ems to
10 respond to behavioral health related matters;

11 (2) the city or town shall determine the minimum qualifications for a civilian mental
12 health advocate so long as being a licensed social worker prior to being hired are among the
13 requirements;

14 (3) the city or town shall determine the minimum qualifications for a civilian mental
15 health advocate including whether the civilian mental health advocate must be trained in first
16 response, emergency first aid, emergency vehicle operation and any other area the city or town
17 deems necessary;

18 (3) the division of civilian mental health advocates may consult with the Executive Office
19 of Health and Human Services in developing rules and regulations relative to this section.

20 (b) Cities or Towns establishing civilian mental health advocate division is subject to
21 securing or appropriation of funds prior to the city or town adopting this act.

22 (c) The city or town shall produce an annual report on the impacts of the division of
23 civilian mental health advocates to be submitted to the Governor, the Attorney General, the
24 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint
25 Committee on Public Safety and Homeland Security.

26 SECTION 2. Chapter 22D of the of the Massachusetts General Laws, as appearing in the
27 2020 edition, is hereby amended by inserting, after section 6, the following section:-

28 Section 7. (a) A city or town may establish a division of civilian mental health advocates
29 within the city or town fire department shall do so pursuant to Section 4 of Chapter 4 of the
30 General Laws and adhere to the following provisions in structuring the division of civilian
31 mental health advocates:-

32 (1) the civilian mental health advocate may accompany a fire fighter or EMT to respond
33 to behavioral health related matters;

34 (2) the city or town shall determine the minimum qualifications for a civilian mental
35 health advocate so long as being a licensed social worker prior to being hired are among the
36 requirements;

37 (3) the city or town shall determine the minimum qualifications for a civilian mental
38 health advocate including whether the civilian mental health advocate must be trained in first
39 response, emergency first aid, emergency vehicle operation and any other area the city or town
40 deems necessary;

41 (4) the fire department may consult with the department of public health and the state
42 department of fire services in developing rules and regulations relative to this section.

43 (b) Cities or Towns establishing civilian mental health advocate division is subject to
44 securing or appropriation of funds prior to the city or town adopting this act.

45 (c) The city or town shall produce an annual report on the impacts of the division of
46 civilian mental health advocates to be submitted to the Governor, the Attorney General, the
47 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint
48 Committee on Public Safety and Homeland Security.

49 SECTION 3. Chapter 41 of the of the Massachusetts General Laws, as appearing in the
50 2020 edition, is hereby amended by inserting, after section 97F, the following section:-

51 Section 97G. (a) A city or town may establish a division of civilian mental health
52 advocates within the city or town police department shall do so pursuant to Section 4 of Chapter
53 4 of the General laws and adhere to the following provisions in structuring the division of
54 civilian mental health advocates:-

55 (1) the civilian mental health advocate may accompany law enforcement officers of the
56 police department to respond to non-violent or behavioral health-related matters. The department
57 shall establish procedures to determine if a civilian mental health advocate is required to
58 accompany police on a response;

59 (2) the city or town shall determine the minimum qualifications for a civilian mental
60 health advocate so long as being a licensed social worker prior to being hired are among the
61 requirements;

62 (4) the police department may consult with the department of public health and the
63 division of police officer standards and training in developing regulations relative to this act.

64 (b) Cities or Towns establishing civilian mental health advocate division is subject to
65 securing or appropriation of funds prior to the city or town adopting this act.

66 (c) The city or town shall produce an annual report on the impacts of the division of
67 civilian mental health advocates to be submitted to the Governor, the Attorney General, the
68 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint
69 Committee on Public Safety and Homeland Security.

70 SECTION 4. Chapter 6A of the General Laws is hereby amended by inserting after
71 section 18D the following section:-

72 Section 18D½. (a) The department shall create, in consultation with organizations
73 representing the mobility, hearing, speech and sight impaired communities, and publish on its
74 website a statewide disability indicator form which a person may complete and submit to the
75 department to notify primary and regional PSAP of certain disabilities. The disability indicator

76 form shall be available to subscribers of a wireless carrier, a wireline carrier or a prepaid wireless
77 telephone service. The disability indicator form shall be written in clear language that is
78 comprehensible to a person proficient in English at the fifth grade level and accessible to persons
79 with visual disabilities. In any place, where 5 per cent of citizens of the commonwealth speak a
80 language other than English as determined by the most recent American Community Survey of
81 the United States Census Bureau, the disability indicator form shall be translated into that
82 language.

83 The disability indicator form shall include space for the person to identify any mental
84 health needs, intellectual and developmental disabilities, complex medical needs or neurological
85 impairments, including, but not limited to: (i) the person has equipment required to sustain the
86 person's life; (ii) the person is bedridden, a wheelchair user or has another mobility impairment;
87 (iii) the person is legally blind; (iv) the person is deaf or hard of hearing; (v) communication via
88 the phone may be by TTY; (vi) the person has a speech impairment; (vii) the person is
89 cognitively impaired; (viii) the person has a service animal; (ix) the person requires translation
90 services; or (x) any potential triggers for first responders to be aware of. The disability indicator
91 form shall also include a space for a person to remove or change any disability indicators.

92 (b) The department, in consultation with organizations representing the mobility, hearing,
93 speech and sight impaired communities, shall annually review the contents of the disability
94 indicator form and amend the disability indicator form when needed, as determined by the
95 department.