HOUSE DOCKET, NO. 2695 FILED ON: 1/19/2023

HOUSE . . . . . No. 193

The Commonwealth of Massachusetts

PRESENTED BY:

Michael P. Kushmerek

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 resolve:

Resolve providing for an investigation and study by a special commission relative to children and adolescents with intensive behavioral health needs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Michael P. Kushmerek	*3rd Worcester*	*1/19/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*1/31/2023*
Vanna Howard	*17th Middlesex*	*2/2/2023*
Colleen M. Garry	*36th Middlesex*	*2/13/2023*
Jack Patrick Lewis	*7th Middlesex*	*5/2/2023*
Samantha Montaño	*15th Suffolk*	*5/4/2023*

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HOUSE . . . . . No. 193

By Representative Kushmerek of Fitchburg, a petition (accompanied by resolve, House, No. 193) of Michael P. Kushmerek and others for an investigation by a special commission (including members of the General Court) relative to children and adolescents with intensive behavioral health needs. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

Resolve providing for an investigation and study by a special commission relative to children and adolescents with intensive behavioral health needs.

Resolved, that a special commission is hereby established for the purposes of making an investigation and study relative to children and adolescents with intensive behavioral health needs whose behavioral health needs, such as acute aggressive, assaultive or otherwise unsafe behaviors, are not adequately addressed through inpatient psychiatric hospitalizations, Community Based Acute Treatment (CBAT) services, or existing residential or community treatment models contracted by the Department of Children and Families.

The Commission shall consist of 23 members or their designees:

the Secretary of Health and Human Services or a designee, who shall serve as chair;

the Commissioner of Public Health or a designee;

the Commissioner of the Department of Children and Families or a designee;

the Commissioner of the Department of Youth Services or a designee;

the Commissioner of the Department of Early Education and Care or a designee;

Chief Justice of the Juvenile Court Department or a designee;

the Chairs of the Joint Committee on Mental Health, Substance Use and Recovery or their designees;

the Chairs of the Joint Committee on Children, Families and Persons with Disabilities or their designees;

a representative from the Office of the Child Advocate;

a representative from the Association for Behavioral Healthcare, Inc.;

a representative from the Massachusetts Health & Hospital Association;

a representative from the Children's Mental Health Campaign;

a representative from the Children's League of Massachusetts;

a representative from the Parent/Professional Advocacy League;

a representative from the Massachusetts Behavioral Health Partnership;

6 members to be appointed by the chair,

2 of whom shall be a family member of a child or adolescent with behavioral health needs or who has been involved in the juvenile court system;

3 of whom shall be a behavioral health provider specializing in serving children and adolescents with intensive behavioral health needs; and

1 of whom shall be a clinician or researcher with expertise related to children and adolescents with intensive behavioral health needs.

In making appointments, the Secretary shall, to the maximum extent feasible, ensure that the Commission represents a broad distribution of diverse perspectives and geographic regions.

The Commission shall: (i) create aggregate demographic and geographic profiles of children and adolescents with intensive behavioral health needs; (ii) examine the current availability of, and barriers to providing, behavioral health services and treatment to children and adolescents with intensive behavioral health needs; (iii) examine existing efforts undertaken by healthcare providers and the existing body of research around best practices for treating children and adolescents with intensive behavioral health needs; including, but not limited to models that promote community involvement and diversion from the juvenile court system; and (iv) examine other matters deemed appropriate by the Commission.

All appointments shall be made not later than 30 days after the effective date of this resolve.

The Commission shall submit its findings and recommendations to the Clerks of the Senate and the House of Representatives, the Joint Committee on Mental Health, Substance Use and Recovery, the Joint Committee on Children, Families and Persons with Disabilities and the Senate and House Committees on Ways and Means not later than January 1, 2024. The Secretary of Health and Human Services shall make the report publicly available on the website of the Executive Office of Health and Human Services.