HOUSE DOCKET, NO. 1832 FILED ON: 1/18/2023

HOUSE . . . . . No. 1994

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

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 provide more timely treatment of inpatient mental health care.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Kay Khan	*11th Middlesex*	*1/18/2023*
Samantha Montaño	*15th Suffolk*	*2/13/2023*
Rebecca L. Rausch	*Norfolk, Worcester and Middlesex*	*3/7/2023*
Lindsay N. Sabadosa	*1st Hampshire*	*5/31/2023*

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HOUSE . . . . . No. 1994

By Representative Khan of Newton, a petition (accompanied by bill, House, No. 1994) of Kay Khan, Samantha Montaño and Rebecca L. Rausch relative to inpatient mental health care treatment. Mental Health, Substance Use and Recovery.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2106* OF 2021-2022.]

The Commonwealth of Massachusetts

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

An Act to provide more timely treatment of inpatient mental health care.

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. Section 2 of chapter 123 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in line 12, the word “and”.

SECTION 2. Said section 2 of said chapter 123, as so appearing, is hereby further amended by inserting after the word “facilities”, in lines 13 to 14, the following words:- , and (4) shall be developed in a manner consistent with available physician resources and in accordance with national standards for providing evening and night coverage for hospitals.

SECTION 3. Section 5 of said chapter 123, as so appearing, is hereby amended by inserting after the third sentence the following sentence:- Such independent medical examination, if requested by the indigent person or his counsel, shall be requested not more than

24 hours after the appointment of counsel and shall be completed within 3 business days after such request for the independent medical examination.

SECTION 4. Said section 5 of said chapter 123, as so appearing, is hereby further amended by striking out, in line 15, the words “unless counsel requests a delay”.

SECTION 5. Section 7 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 24 and 25, the words “, unless a delay is requested by the person or his counsel”.

SECTION 6. Said section 7 of said chapter 123, as so appearing, is hereby further amended by striking out, in lines 26 to 27, the words “, unless a delay is requested by the person or his counsel”.

SECTION 7. Section 8B of said chapter 123, as so appearing, is hereby amended by striking out, in line 21, the figure “fourteen” and inserting in place thereof the figure:- “5”.

SECTION 8. Subsection (d) of section 5-308 of chapter 190B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the words “as expeditiously as possible”, in line 55, the following words:- ; provided however, for patients in inpatient mental health facilities, said hearing shall be conducted within 7 days of the filing of the petition and the notice required under subsection (c) of this section shall be adjusted accordingly.

SECTION 9. Notwithstanding any general or special law, regulation or procedure to the contrary, the department of children and families, in conjunction with the office of the child advocate, shall develop a facilitated process and time frame for the administration of

antipsychotic medication for children in their custody who are hospitalized in inpatient psychiatric facilities.