

HOUSE No. 1749

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins

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 relative to a humane response to a mental health crisis.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/15/2025</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/21/2025</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>4/11/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>12/2/2025</i>

HOUSE No. 1749

By Representative Higgins of Leominster, a petition (accompanied by bill, House, No. 1749) of Natalie M. Higgins and Lindsay N. Sabadosa relative to applications for 3-day commitments to facilities of persons with mental illness. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to a humane response to a mental health crisis.

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 12 of Chapter 123 is hereby amended by striking the following paragraph (e):-

2 (e) Any person may make an application to a district court justice or a justice of the
3 juvenile court department for a 3-day commitment to a facility of a person with a mental illness
4 if the failure to confine said person would cause a likelihood of serious harm. The court shall
5 appoint counsel to represent said person. After hearing such evidence as the court may consider
6 sufficient, a district court justice or a justice of the juvenile court department may issue a warrant
7 for the apprehension and appearance before the court of the alleged person with a mental illness
8 if in the court's judgment the condition or conduct of such person makes such action necessary or
9 proper. Following apprehension, the court shall have the person examined by a physician or a
10 qualified advanced practice registered nurse designated to have the authority to admit to a facility
11 or examined by a qualified psychologist in accordance with the regulations of the department. If
12 the physician, qualified advanced practice registered nurse or qualified psychologist reports that

13 the failure to hospitalize the person would create a likelihood of serious harm by reason of
14 mental illness, the court may order the person committed to a facility for a period not to exceed 3
15 days; provided, however, that the superintendent may discharge said person at any time within
16 the 3-day period. The periods of time prescribed or allowed under this section shall be computed
17 pursuant to Rule 6 of the Massachusetts Rules of Civil Procedure.