

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Christopher Hendricks***

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*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 establishing medical civil rights.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>1/16/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

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

An Act establishing medical civil rights.

*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 2. Chapter 276 is hereby amended by adding the following new section:-

2 Section 33 ½.

3 (1) Definitions:

4 (a) “Emergency medical condition” a medical condition, whether physical,  
5 behavioral, related to a substance use disorder, or mental, manifesting itself by symptoms of  
6 sufficient severity, including but not limited to severe pain, that the absence of prompt medical  
7 attention could reasonably be expected by a prudent layperson who possesses an average  
8 knowledge of health and medicine to result in placing the health of the person or another person  
9 in serious jeopardy, serious impairment to body function or serious dysfunction of any body  
10 organ or part.

11 (b) “Medically unstable,” any condition, whether physical, behavioral, or related to  
12 substance use or mental health disorders, that manifests in an unstable medical or mental health

13 status, which could reasonably be understood by a prudent layperson to lead to an emergency  
14 medical condition.

15 (c) “Law enforcement agency”, (i) a state, county, municipal or district law  
16 enforcement agency, including, but not limited to: a city, town or district police department, the  
17 office of environmental law enforcement, the University of Massachusetts police department, the  
18 department of the state police, the Massachusetts Port Authority police department, also known  
19 as the Port of Boston Authority police department, and the Massachusetts Bay Transportation  
20 Authority police department; (ii) a sheriff’s department in its performance of police duties and  
21 functions; or (iii) a public or private college, university or other educational institution or  
22 hospital police department.

23 (d) “Law enforcement officer” or “officer”, any officer of an agency, including the  
24 head of the agency; a special state police officer appointed pursuant to section 58 or section 63 of  
25 chapter 22C; a special sheriff appointed pursuant to section 4 of chapter 37 performing police  
26 duties and functions; a deputy sheriff appointed pursuant to section 3 of said chapter 37  
27 performing police duties and functions; a constable executing an arrest for any reason; or any  
28 other special, reserve or intermittent police officer.

29 (e) “Correctional officer”, any officer with supervisory, custodial, or other control  
30 responsibilities within a correctional agency.

31 (f) “Correctional agency”, the Department of Corrections, a House of Corrections, or  
32 a jail.

33 (g) “Medical personnel”, any person licensed to provide health care, including but not  
34 limited to an emergency medical technician, physician or nurse.

35           (2) Any person who experiences an emergency medical condition or is medically  
36 unstable while in direct audio or visual contact with, or under the custody or control of, a law  
37 enforcement or correctional officer shall have the right to be provided with emergency medical  
38 services.

39           (3) Except as provided in subsection (4) of this section, a law enforcement or correctional  
40 officer shall immediately request emergency medical services for any person who is under such  
41 officer's custody or control or otherwise in direct audio or visual contact with the officer when  
42 such person: (1) Has communicated to the officer that the person is (A) experiencing an  
43 emergency medical condition, or (B) medically unstable, or (2) has been reasonably observed by  
44 the officer to be (A) experiencing an emergency medical condition, or (B) medically unstable.

45           (4) A law enforcement or correctional officer shall not be required to request emergency  
46 medical services when such officer (1) has made a reasonable determination that the person is  
47 not (A) experiencing an emergency medical condition, or (B) medically unstable, and (2) knows  
48 that such person has been seen by a medical professional within the previous twenty-four hours  
49 and was released from such medical professional's care after a determination that such person  
50 was not (A) experiencing an emergency medical condition, or (B) medically unstable.

51           (5) In circumstances where medical personnel and law enforcement or correctional  
52 officers are simultaneously involved, a law enforcement or correctional officer shall immediately  
53 allow medical personnel to commence treatment for any person who is under such officer's  
54 custody or control when such person: (1) Has communicated to the officer that the person is (A)  
55 experiencing an emergency medical condition, or (B) medically unstable, or (2) has been

- 56 reasonably observed by the officer to be (A) experiencing an emergency medical condition, or
- 57 (B) medically unstable.