HOUSE DOCKET, NO. 3523 FILED ON: 1/24/2011

HOUSE . . . . . No. 3527

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel B. Winslow

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 Adopt a Definition of Intellectual Disability Consistent with the American Association of Intellectual and Developmental Disabilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Daniel B. Winslow	*9th Norfolk*

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By Mr. Winslow of Norfolk, a petition (subject to Joint Rule 12) (accompanied by bill, House, No. [BILL NUMBER]) of Daniel Winslow, relative to the definition of intellectual disability . [Children, Families and Persons with Disabilities].

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to Adopt a Definition of Intellectual Disability Consistent with the American Association of Intellectual and Developmental Disabilities.

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 of Chapter 123B of the General Laws is hereby amended by striking out the definition of "Person with an intellectual disability" as amended by Section 41 of Chapter 239 of the acts of 2010, and inserting in place thereof the following:-

"Person with an intellectual disability", a person who has an intellectual disability, consistent with the 11th Edition (2010) definition of the American Association on Intellectual and Developmental Disabilities, characterized by significant limitations in both intellectual functioning and adaptive behavior as expressed in conceptual, social and practical adaptive skills. This disability begins before age 18. The following five assumptions are essential to the application of this definition: (1) limitations in present functioning must be considered within the context of community environments typical of the individual's age, peers, and culture; (2) valid assessment considers cultural and linguistic diversity as well as differences in communication, sensory, motor and behavioral factors; (3) within an individual, limitations often coexist with

13 strengths; (4) an important purpose of describing limitations is to develop a profile of needed
14 supports; and (5) with appropriate personalized supports over a sustained period, the life
15 functioning of the person with an intellectual disability generally will improve. A person who
16 has an intellectual disability may be considered to be mentally ill, provided further, that no
17 person with an intellectual disability shall be considered to be mentally ill solely by reason of the
18 person's intellectual disability."