

HOUSE No. 91

By Mr. Fagan of Taunton, petition of James H. Fagan and others relative to the reporting of the abuse of mentally retarded persons. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

PETITION OF:

James H. Fagan
John W. Scibak

James R. Miceli

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE REPORTING OF THE ABUSE OF MENTALLY RETARDED PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 19B of the General Laws, as appearing in the 2004
2 Official Edition, is hereby amended by striking out section 10 and
3 inserting in place thereof the following section:—
4 Section 10. The superintendent of any state school, the director of
5 any mental retardation facility of the department, whether run by the
6 department or by a vendor on behalf of the department, or the
7 service coordinator of a department client residing with a caretaker,
8 as defined in section one of chapter nineteen C, who has reason to
9 believe that a crime, punishable by imprisonment in state prison, or
10 abuse, as defined in section one of chapter nineteen C, regardless of
11 the punishment, has been committed by or upon any person in the
12 care of the particular facility, but not on the premises thereof, or
13 upon a department client by his caretaker, shall, no later than one
14 week from the date of the commission of the crime or abuse, report
15 the same to the disabled persons protection commission, the local
16 police department, and the district attorney within which the crime
17 or abuse was committed.