

HOUSE No. 1902

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia relative to medical care for persons in mental health facilities. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO PROVIDING APPROPRIATE MEDICAL CARE FOR PERSONS IN MENTAL HEALTH FACILITIES.

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 1. The first paragraph of Section 4 of chapter 123 of
2 the General Laws, as appearing in the 1998 Official Edition, is
3 hereby amended by striking out, in lines 22, 23 and 24, the words
4 “physical examination by a physician licensed under the provisions
5 of chapter one hundred and twelve” and inserting in place thereof
6 the words:— comprehensive physical examination by a physician
7 licensed under the provisions of chapter one hundred and twelve
8 upon admission and.

1 SECTION 2. Said Section 4 of said chapter 123, as so appearing,
2 is hereby further amended by inserting after the first paragraph the
3 following two paragraphs: —

4 During an admission examination, periodic physical examination
5 and on a continuing basis, the examining physician shall identify all
6 persons who require intermediate nursing services, skilled nursing
7 services, chronic disease hospital services or rehabilitation hospital
8 services, as referred to in the regulations promulgated by the depart-
9 ment of public welfare, regardless of any person’s need to have such
10 service provided in an institutional setting. Upon such identification,
11 a report of the same shall be made by such physician to the commis-
12 sioner, who shall maintain statistical records regarding such persons.

13 The department of mental health shall provide an individual
14 service plan for every person so identified within thirty days of such
15 identification, which plan shall be written pursuant to the standards

16 and procedures established in the rules and regulations of said
17 department, relative to the standards by which an individual may
18 request and receive mental health services and which shall note each
19 of the person's physical health care needs. Each service plan shall
20 provide for services in the most age appropriate and disability appro-
21 priate setting consistent with the mental health needs of each person.