

*The Commonwealth of Massachusetts*  
*Executive Office of Health and Human Services*  
*Department of Mental Health*  
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**MEMORANDUM**

**To:** Interested Parties

**From:** Marcia Fowler, Commissioner 

**Date:** September 19, 2013

**Re:** Revisions to DMH Form AA-4: GL ch. 123 §12(a) Application for Hospitalization Form (Pink Paper)

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The Department of Mental Health (DMH) is issuing a revised GL ch. 123 §12(a) Application for Hospitalization form, which is attached to this memo and is available on the DMH website at [www.mass.gov/dmh](http://www.mass.gov/dmh) under **Key Resources, Civil Commitment and Hospital Admissions Forms**. The new form is designated AA-5. Although the new form should be used effective immediately, the old version (designated AA-4) may still be used as a valid application for hospitalization. The revised form has two changes:

- It contains a clarification requested by Emergency Medical Services that the signer of a §12(a) application is also authorizing the use of restraint during transport, but only if necessary for the safety of the person being transported or of others who are likely to come into contact with him or her. M.G.L. Chapter 123, s. 21.
- The other change incorporates a change in Massachusetts law relating to the signature authority of Nurse Practitioners (NP).<sup>1</sup> In consultation with the Board of Registration in Nursing, DMH has concluded that with the passage of this statute, NPs are authorized to sign Applications for Hospitalization under Section 12 on behalf of patients whom they have examined within the scope of their practice as Nurse Practitioners.

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<sup>1</sup> "When a law or rule requires a signature, certification, stamp, verification, affidavit or endorsement by a physician, when relating to physical or mental health, that requirement may be fulfilled by a nurse practitioner practicing under section 80B. Nothing in this section shall be construed to expand the scope of practice of nurse practitioners. This section shall not be construed to preclude the development of mutually agreed upon guidelines between the nurse practitioner and supervising physician under section 80E." M.G.L c. 112 s. 80I