

March 27, 2024

Via Email

Honorable Governor Maura Healy
Massachusetts State House
24 Beacon St, Room 280
Boston, MA 02133

Kate Walsh
Secretary, Executive Office of Health & Human Services
1 Ashburton Place
Boston, MA 02110

Dear Governor Healy and Secretary Walsh:

We're the chairs of a very important group called the Special Commission on State Institutions. This group is looking at where papers about people who lived in institutions are kept and how people can get their own records. We had a group meeting, and we all agreed that we needed to write to you about something really serious.

We've been looking into what happens when state-run institutions close down in Massachusetts. We found out some of the papers about people who lived in institutions were not kept safe. We're writing to ask you for some more facts about this, and to help fix the issue.

We read in the Boston Globe that there are papers from these places, like the Fernald Developmental Center in Waltham, just lying around where anyone could find them. That's not okay because those papers have really private stuff about the people who used to live there. We think it breaks a rule called the Health Insurance Portability and Accountability Act (HIPAA), which is a big deal for keeping private info about people's health safe. In fact, the Department of Developmental Services (DDS) sent out notice to the public about the HIPAA breach. We learned that this happened before with other places like Foxboro State Hospital in 2000 and in 2014 at the Paul A Dever School and The Metropolitan State Hospital.

Even though it's hard to close these places down, we need to make sure we do it right. People who lived there deserve respect and their privacy. We're glad DDS is trying to fix things at Fernald, but we think more needs to be done. We want all the papers found to be kept safe until DDS figures out what to do with them.

We're asking for help from different government offices to fix this. We think there should be a big check to see where all these papers are from all of the closed institutions, and then a plan to keep them safe. Also, there should be an easy way for people who used to live in these places, or their families, to ask for their papers if they want them. And we need clear rules for what to do with these papers, so this doesn't happen again.

We want to help fix this too. We hope you'll share some more information about this with us, listen to our ideas and do something about it soon. We want to hear back from you in 90 days.

Sincerely,



Evelyn Mateo
Co-Chair, Special Commission on State
Institutions



Matthew Millett
Co-Chair, Special Commission on State
Institutions

Cc:

Jane Ryder, Commissioner, Department of Developmental Services
Brooke Doyle, Commissioner, Department of Mental Health
Adam Baacke, Commissioner, Division of Capital Asset Management and Maintenance