

HOUSE No. 106

The Commonwealth of Massachusetts

PRESENTED BY:

James J. Lyons, Jr.

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 establishing a commission to study medical abuse claims.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>
<i>James R. Miceli</i>	<i>19th Middlesex</i>

HOUSE No. 106

By Mr. Lyons of Andover, a petition (accompanied by bill, House, No. 106) of James J. Lyons, Jr. and others for an investigation by an independent commission on a certain case before the Department of Children and Families regarding Justina Pelletier. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act establishing a commission to study medical abuse claims.

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. Chapter 119 of the General Laws is hereby amended by inserting the
2 following new section:-

3 Section XXXX. (a) Notwithstanding any general or special law to the contrary, there
4 shall be an independent commission to study and report on the recent case before the Department
5 of Children and Families regarding Justina Pelletier. The commission shall consist of: the
6 inspector general, or a designee; the attorney general, or a designee; the state auditor, or a
7 designee; 2 members of the house of representatives, 1 of whom shall be appointed by the
8 minority leader, and shall act as chair; and 2 members of the senate, 1 of whom shall be
9 appointed by the minority leader. The commission shall research and assess the cost of the case,
10 and the evidence and reasoning that led the Department of Children and Families to take Justina
11 Pelletier away from her family. The commission shall also conduct an investigation of

12 Massachusetts General Law Chapter 119, section 51A, focusing the number of families affected
13 and any changes that can be made to the law to limit improper use.

14 (b) Said report shall be filed with to the chair and ranking minority member of the house
15 committee on ways and means, the chair and ranking minority member of the senate committee
16 on ways and means, and the clerks of the House of Representatives and senate no later than
17 October 15, 2016.”