

**HOUSE . . . . . No. 1068**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kay Khan*

*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 providing mental health and substance abuse assessments for children engaged in services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>

**HOUSE . . . . . No. 1068**

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By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1068) of Kay Khan and others relative to providing for mental health and substance abuse assessments for children engaged in services. Mental Health, Substance Use and Recovery.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act providing mental health and substance abuse assessments for children engaged in services.

*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 19 of the General Laws of the Act’s of 2014 is hereby amended by  
2 inserting after section 21 the following section:-

3 SECTION 21A. (a) The department of mental health in collaboration with the department  
4 of youth services and the department of public health is hereby authorized and directed to  
5 conduct a comprehensive review of the mental health and substance abuse service needs of  
6 adolescents in the care of or detained in the commonwealth through the order of a juvenile court,  
7 including without limitation juveniles detained in the department of youth services or in the  
8 custody of the department of children and families, or receiving services from the department of  
9 mental health, the court clinics, probation, or otherwise, and including without limitation any  
10 such departments, offices, agencies or instrumentalities of the commonwealth, and any private  
11 organizations and agencies operating under arrangement with departments or agencies of the  
12 commonwealth. To complete said review, the department of mental health, department of youth

13 services, and department of public health shall solicit input from the office of probation, the  
14 department of children and families, the department of education, the juvenile court, juvenile  
15 court clinics, the committee for public counsel services, the division of insurance, the division of  
16 medical assistance, the Massachusetts Association of District Attorneys, at least one individual  
17 representing the interests of parents and families, at least one advocate for juvenile justice, at  
18 least one representative of a service provider community, and at least one representative from the  
19 Massachusetts Association of Health Plans. Said review shall be for purposes of identifying the  
20 following:

21 (i) existing and proposed models of alternatives to detention, within and outside the  
22 commonwealth, of providing mental health and substance abuse services to juveniles in  
23 detention, and as alternatives to detention; community resources and other dependencies which  
24 affect the appropriateness and effectiveness of models of alternatives to detention; and data  
25 demonstrating the relative efficacy, cost-effectiveness, and effect on public safety of alternative  
26 models;

27 (ii) unmet mental health and substance abuse needs of juveniles within the juvenile court  
28 systems of the commonwealth, including an explicit comparison of the best practices and models  
29 identified in paragraph (a) of this section with services and models available in the  
30 commonwealth;

31 (iii) recommendations for addressing unmet needs, including without limitation through  
32 the court clinics of the juvenile courts, and through contracting by the department of mental  
33 health for community-based services through community providers, or through consortia of

34 community providers, local government agencies and others operating in congruence with local  
35 courts involved in the juvenile justice system.

36 (b) Within sixty days after the effective date hereof, the department shall post to its  
37 external website, for thirty days public comment, a proposed work plan to gather information  
38 necessary to prepare the report required by this section, in consultation with clinical,  
39 philanthropic and advocacy organizations for children, and providers of mental health and  
40 substance abuse services for minors. The proposed work plan shall be directed to submit a final  
41 report to the legislature and the governor no later than two hundred and seventy days after the  
42 effective date of this act.

43 (c) Within ninety days after the effective date of this act, the department shall post its final  
44 work plan on its external website.

45 (d) Within two hundred and ten days after the effective date of this act, the department  
46 shall post on its external website, for public comment, a draft report responsive to this section.

47 (e) Within two hundred and seventy days after the effective date of this act, the  
48 department shall post on its external website a final report responsive to this section, including a  
49 summary of all public comments received, and responses to such comments. The department  
50 shall also that day provide a copy of its final report to the governor, the president of the senate,  
51 the speaker of the house of representatives, the chairs of the joint committees on mental health  
52 and substance abuse, and children, families and persons with disabilities, and the legislative  
53 mental health caucus.