

**HOUSE . . . . . No. 131**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James H. Fagan**

*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 passage of the accompanying bill:

An Act relative to the reporting of the abuse of mentally retarded persons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James H. Fagan	3rd Bristol
James R. Miceli	19th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 91 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO THE REPORTING OF THE ABUSE OF MENTALLY RETARDED PERSONS.

*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 19B of the General Laws, as appearing in the 2006 Official Edition, is hereby  
2 amended by striking out section 10 and inserting in place thereof the following section:—  
3 Section 10. The superintendent of any state school, the director of any mental retardation facility of the department,  
4 whether run by the department or by a vendor on behalf of the department, or the service coordinator of a  
5 department client residing with a caretaker, as defined in section one of chapter nineteen C, who has reason to  
6 believe that a crime, punishable by imprisonment in state prison, or abuse, as defined in section one of chapter  
7 nineteen C, regardless of the punishment, has been committed by or upon any person in the care of the particular  
8 facility, but not on the premises thereof, or upon a department client by his caretaker, shall, no later than one week  
9 from the date of the commission of the crime or abuse, report the same to the disabled persons protection  
10 commission, the local police department, and the district attorney within which the crime or abuse was committed.