

HOUSE No. 1446

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 passage of the accompanying bill:

An Act relative to the child fatality review program.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Kay Khan

11th Middlesex

Marcos A. Devers

16th Essex

HOUSE No. 1446

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1446) of Kay Khan and Marcos A. Devers relative to the membership and procedures for child fatality review teams. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the child fatality review program.

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. Subsection (b) of Section 2A of chapter 38 of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by striking in the second paragraph
3 the following language: “the chief medical examiner, who shall chair the state team; the attorney
4 general or a designee; the commissioner of the department of children and families or a designee;
5 the commissioner of the department of public health or a designee;” and inserting the following
6 new language, “the chief medical examiner or a designee, who shall co-chair the state team; the
7 commissioner of the department of public health or a designee, who shall co-chair the state team;
8 the attorney general or a designee; the commissioner of the department of children and families
9 or a designee;”.

10 SECTION 2. Subsection (b) of Section 2A of chapter 38 of the General Laws, as so
11 appearing is hereby amended by adding after “the child advocate appointed under section 3 of
12 chapter 18C or a designee” the following new language: “the commissioner of the department of
13 early education and care or a designee;”.

14 SECTION 3. Subsection (c) of Section 2A, as so appearing, is hereby amended by adding
15 in the second paragraph after “the commissioner of the department of public health or a
16 designee;” the following new language, “the child advocate appointed under section 3 of chapter
17 18C or a designee;”.

18 SECTION 4. Subsection (c) of Section 2A, as so appearing, is hereby amended by adding
19 in the fourth paragraph (“At the request of the local district attorney, the local team shall be
20 immediately provided with:”) under subparagraph (i), following “information and records

21 relevant to the cause of the fatality or near fatality maintained by the providers of medical or
22 other care, treatment or services, including dental and mental health care,” the following new
23 language: “and maternal prenatal care.”

24 SECTION 5. Section 2A, as so appearing, is hereby amended by adding the following
25 new subsection: “(h) When the Office of the child Advocate has received a critical incident
26 report regarding a child, as described in Section 5 of chapter 18C of the General Laws, the Child
27 Advocate or a designee may share information with the local team in order to accomplish the
28 purposes of the local team review as described in this section. Information from the local team
29 shall be kept confidential by the Child Advocate or designee according to section 12 of chapter
30 18C.”