

HOUSE No. 1728

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 use assessments for children engaged in services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>

HOUSE No. 1728

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1728) 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.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1068 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act providing mental health and substance use 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, as appearing in the 2016 Official Edition,
2 is hereby amended by inserting after section 24 the following section:-

3 Section 25. (a) The department of mental health in collaboration with the department of
4 youth services and the department of public health is hereby authorized and directed to conduct a
5 comprehensive review of the mental health and substance use service needs of adolescents in the
6 care of or detained in the commonwealth through the order of a juvenile court, including without
7 limitation juveniles detained in the department of youth services or in the custody of the
8 department of children and families, or receiving services from the department of mental health,
9 the court clinics, probation, or otherwise, and including without limitation any such departments,
10 offices, agencies or instrumentalities of the commonwealth, and any private organizations and

11 agencies operating under arrangement with departments or agencies of the commonwealth. To
12 complete said review, the department of mental health, department of youth services, and
13 department of public health shall solicit input from the office of probation, the department of
14 children and families, the department of education, the juvenile court, juvenile court clinics, the
15 committee for public counsel services, the division of insurance, the division of medical
16 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 use services to juveniles in detention,
23 and as alternatives to detention; community resources and other dependencies which affect the
24 appropriateness and effectiveness of models of alternatives to detention; and data demonstrating
25 the relative efficacy, cost-effectiveness, and effect on public safety of alternative models;

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

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

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

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

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

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

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