

HOUSE No. 1964

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>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>

HOUSE No. 1964

By Mr. Lyons of Andover, a petition (accompanied by bill, House, No. 1964) of James J. Lyons, Jr. and Shaunna L. O'Connell for an investigation by an independent commission (including members of the General Court) on a certain case before the Department of Children and Families regarding Justina Pelletier. Children, Families and Persons with Disabilities.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 106 OF 2015-2016.]

The Commonwealth of Massachusetts

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

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, 2018.”