

**HOUSE . . . . . No. 3804**

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The Commonwealth of Massachusetts

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**In the Year Two Thousand Thirteen**  
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An Act regarding rights of persons receiving services from program or facilities of the Department of Mental Health.

*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. Section 23 of chapter 123 of the General Laws, as appearing in the 2010  
2 Official Edition, is hereby amended by inserting after subparagraph (e) the following  
3 subparagraph:-

4           (f) reasonable daily access to the outdoors at inpatient facilities in a manner consistent  
5 with such person’s clinical condition and safety as determined by the treating clinician, and with  
6 the ability of such facilities to safely provide access.

7           The department shall promulgate regulations defining what shall constitute reasonable  
8 access.

9           SECTION 2. Said section 23, as so appearing, is hereby further amended by striking out,  
10 in line 68, the word “(e)” and inserting the following word:- (f)

11           SECTION 3. Said section 23, as so appearing, is hereby further amended by inserting  
12 after the word “(c)”, in line 71, the following words :- and (f)