

HOUSE No. 4534

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 9, 2020.

The committee on Mental Health, Substance Use and Recovery, to whom was referred the 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, reports recommending that the accompanying bill (House, No. 4534) ought to pass.

For the committee,

MARJORIE C. DECKER.

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**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 2018 Official Edition,
2 is hereby amended by inserting, after section 24, the following section:-

3 Section 24A. (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, Blue Cross and Blue Shield of
17 Massachusetts, Massachusetts Association of Health Plans, Children's League of Massachusetts,
18 the Massachusetts chapter of the American Academy of Pediatrics, New England Council of
19 Child and Adolescent Psychiatry, at least one individual representing the interests of parents and
20 families, at least one advocate for juvenile justice, and at least one representative of a service
21 provider community. Said review shall be for purposes of identifying the following:

22 (i) existing and proposed models of alternatives to detention, within and outside the
23 commonwealth, of providing mental health and substance use services to juveniles in detention,
24 and as alternatives to detention; community resources and other dependencies which affect the
25 appropriateness and effectiveness of models of alternatives to detention; and data demonstrating
26 the relative efficacy, cost-effectiveness, and effect on public safety of alternative models;

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

31 (iii) recommendations for addressing unmet needs, including without limitation through
32 the court clinics of the juvenile courts, and through contracting by the department of mental
33 health for community-based services through community providers, or through consortia of
34 community providers, local government agencies and others operating in congruence with local
35 courts involved in the juvenile justice system.

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

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

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

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