

**SENATE . . . . . No. 1043**

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The Commonwealth of Massachusetts

PRESENTED BY:

*John F. Keenan*

*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 relative to eligibility for disability services.

PETITION OF:

NAME:

*John F. Keenan*

DISTRICT/ADDRESS:

*Norfolk and Plymouth*

**SENATE . . . . . No. 1043**

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By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1043) of John F. Keenan for legislation relative to eligibility for disability services. Mental Health and Substance Abuse.

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The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
\_\_\_\_\_

An Act relative to eligibility for disability 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 123B of the General Laws is hereby amended by inserting after  
2 section 2 the following new section:-

3 Section 2A. If the department intends to deny services to an applicant, the department  
4 shall notify the applicant and the applicant’s family not less than forty-five days prior to making  
5 a final determination, shall provide a description of the reasons for their intent to deny, and shall  
6 advise the applicant or the applicant’s family the opportunity to request the department to  
7 conduct further evaluations. Further evaluations shall include but not necessarily be limited to:  
8 (1) an additional in-person interview; (2) school or work observation conducted by the  
9 department; and (3) testimony from non-guardianship teachers or supervisors.

10 No final determination to deny services shall be based solely on, (1) intelligence quotient  
11 testing and/or (2) education testing.

12 All further evaluation must be considered before denial of disability services is finalized.