

**SENATE . . . . . No. 1106**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Barbara A. L'Italien***

*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 to ensure full and equal access to services from the Department of Mental Health for individuals with autism spectrum disorders and related conditions who otherwise meet the eligibility criteria for DMH services.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/27/2017</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/30/2017</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>2/3/2017</i>

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By Ms. L'Italien, a petition (accompanied by bill, Senate, No. 1106) of Barbara A. L'Italien, Kevin G. Honan, Jonathan Hecht and Alice Hanlon Peisch for legislation relative to services for individuals with autism spectrum disorder. Mental Health, Substance Use and Recovery.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1046 OF 2015-2016.]

**The Commonwealth of Massachusetts**

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

An Act to ensure full and equal access to services from the Department of Mental Health for individuals with autism spectrum disorders and related conditions who otherwise meet the eligibility criteria for DMH 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: Section 1 of Chapter 123 of the General Laws as appearing in the 2012  
2 Official Edition, is hereby amended by inserting the following definitions:

3           Autism Spectrum Disorder

4           An individual must meet criteria A, B, C and D:

5           A. Persistent deficits in social communication and social interaction across contexts, not  
6 accounted for by general developmental delays, and manifest by all 3 of the following:

7           1. Deficits in social-emotional reciprocity; ranging from abnormal social approach and  
8 failure of normal back and forth conversation through reduced sharing of interests, emotions, and  
9 affect and response to total lack of initiation of social interaction.

10           2. Deficits in nonverbal communicative behaviors used for social interaction; ranging  
11 from poorly integrated- verbal and nonverbal communication, through abnormalities in eye  
12 contact and body-language, or deficits in understanding and use of nonverbal communication, to  
13 total lack of facial expression or gestures.

14           3. Deficits in developing and maintaining relationships, appropriate to developmental  
15 level (beyond those with caregivers); ranging from difficulties adjusting behavior to suit different  
16 social contexts through difficulties in sharing imaginative play and in making friends to an  
17 apparent absence of interest in people

18           B. Restricted, repetitive patterns of behavior, interests, or activities as manifested by at  
19 least two of the following:

20           1. Stereotyped or repetitive speech, motor movements, or use of objects; (such as simple  
21 motor stereotypies, echolalia, repetitive use of objects, or idiosyncratic phrases).

22           2. Excessive adherence to routines, ritualized patterns of verbal or nonverbal behavior, or  
23 excessive resistance to change; (such as motoric rituals, insistence on same route or food,  
24 repetitive questioning or extreme distress at small changes).

25           3. Highly restricted, fixated interests that are abnormal in intensity or focus; (such as  
26 strong attachment to or preoccupation with unusual objects, excessively circumscribed or  
27 perseverative interests).

28 4. Hyper-or hypo-reactivity to sensory input or unusual interest in sensory aspects of  
29 environment; (such as apparent indifference to pain/heat/cold, adverse response to specific  
30 sounds or textures, excessive smelling or touching of objects, fascination with lights or spinning  
31 objects).

32 C. Symptoms must be present in early childhood (but may not become fully manifest  
33 until social demands exceed limited capacities)

34 D. Symptoms together limit and impair everyday functioning

35 Conditions related to Autism Spectrum Disorder - These shall include but not be limited  
36 to Social Communication Disorder, Aspergers Disorder, and Pervasive Developmental Disorder  
37 Not Otherwise Specified.

38 SECTION 1A:

39 Chapter 123 of the General Laws is hereby further amended by inserting at the end  
40 thereof the following new Section:

41 Section 37: The Department of Mental Health will provide emergency, crisis, acute care,  
42 and ongoing treatment and support for people with Autism Spectrum Disorder and related  
43 conditions, who otherwise meet the eligibility criteria for DMH services.

44 These services will be designed to meet the needs of individuals with Autism Spectrum  
45 Disorder and related conditions. They will be provided by clinicians who have training and  
46 expertise in Autism Spectrum Disorders and related conditions.

47 For individuals with Autism Spectrum Disorder or a related condition who have co-  
48 occurring mental health issues, DMH will work closely with the Department of Developmental  
49 Services to determine the responsible agency for delivery of service.

50 SECTION 2:

51 Section 21 of Chapter 19 of the General Laws as appearing in the 2012 Official Edition is  
52 hereby amended by striking “mentally ill and persons with an intellectual disability” and  
53 inserting in place thereof the following words-

54 “persons with mental illness and intellectual or developmental disabilities”

55 SECTION 3:

56 Section 21 of Chapter 19 of the General Laws as appearing in the 2012 Official Edition is  
57 hereby amended by striking “mentally ill and mentally retarded individuals” and inserting in  
58 place thereof the words-

59 “persons with mental illness and intellectual or developmental disabilities”

60 SECTION 4:

61 Section 21 of Chapter of the General Laws as appearing in the 2012 Official Edition is  
62 hereby amended by striking “a person with an intellectual disability and mentally ill” and  
63 inserting in place thereof the words-

64 “a person with an intellectual or developmental disability and a mental illness”

65 SECTION 5:

66           Section 21 of Chapter 19 of the General Laws as appearing in the 2012 Official Edition is  
67 hereby amended by inserting, on line 30 following the words “intellectual disability”, the words-  
68           “or a developmental disability,”