
By Mr. Della Chiesa of Quincy, petition of Amelio A. Della Chiesa for legislation to enlarge the powers and duties of the trustees of state mental hospitals. Public Welfare.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty.

AN ACT TO ENLARGE THE POWERS AND DUTIES OF TRUSTEES OF STATE HOSPITALS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 123 of the General Laws is hereby amended by
2 striking out section 28, as most recently amended by section 5
3 of chapter 598 of the acts of 1954, and inserting in place thereof
4 the following section: —

5 *Section 28.* The trustees of each state hospital, with the
6 approval of the department, shall appoint and may remove a
7 treasurer and assistant treasurer, each of whom shall give bond
8 for the faithful performance of his duties. The provisions of
9 section forty-two of chapter thirty-one shall apply to the ap-
10 pointment of such assistant treasurers. Said trustees, with the
11 approval of the department, shall appoint a superintendent,
12 who shall be a physician who is a diplomate in psychiatry of the
13 American Board of Psychiatry and Neurology, Incorporated,
14 and shall have had at least four years' administrative experience
15 in a state or federal hospital for mental diseases or in any equiva-
16 lent psychiatric organization, or at least three years' experience
17 as aforesaid and at least one year's experience in the depart-
18 ment controlling such hospital. The superintendent, with the
19 approval of the trustees, shall appoint and may remove assistant
20 physicians and necessary subordinate officers and other persons.
21 A superintendent of a state hospital may be removed by the
22 trustees thereof, with the approval of the department, for in-

23 efficiency, failure to perform duties properly or other good cause.
24 A superintendent sought to be so removed shall be notified of the
25 proposed action, shall be furnished with a copy of the reasons
26 therefor and shall be given a hearing before the trustees, and
27 shall be allowed to answer the charges preferred against him,
28 either personally or by counsel. Within twenty days after the
29 hearing hereinbefore provided for, said superintendent may
30 bring a petition in the superior court within and for the county
31 wherein he resides, praying that the action of said trustees may
32 be reviewed by the court, and, after such notice to such wit-
33 nesses, and shall affirm the decision of the trustees unless it shall
34 appear that such decision was made without proper cause or in
35 bad faith, in which case said decision shall be reversed and the
36 petitioner be reinstated in his office without loss of compensation.
37 The decision of the court shall be final and conclusive upon the
38 parties.