
By Mr. DiCarlo, a petition (accompanied by resolve, Senate, No. 514) of Joseph J. C. DiCarlo, Doris Bunte and John G. King that provision be made for an investigation and study by a special commission (including members of the General Court) of the right to refuse treatment and other rights of patients in mental health and retardation facilities. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY OF THE RIGHT TO REFUSE TREATMENT AND OTHER RIGHTS OF PATIENTS IN MENTAL HEALTH AND RETARDATION FACILITIES.

1 *Resolved*, That a special commission to consist of three mem-
2 bers of the senate, five members of the house, and seven mem-
3 bers to be appointed by the governor—one of whom shall be
4 a representative of the Department of Mental Health, one of
5 whom shall be an administrator of a mental health facility,
6 one of whom shall be an administrator of a mental retardation
7 facility, one of whom shall be a lawyer with experience in the
8 field of patients' rights litigation, one of whom shall have
9 had at least two years experience in the direct care of the
10 mentally ill or retarded, and two members representing patient
11 advocacy organizations — is hereby established for the pur-
12 pose of making an investigation and study of the rights of
13 patients in mental health facilities with particular emphasis on
14 the right of such patients to refuse treatment and a review of
15 the provisions of section 23 of Chapter 123 of the Massachu-
16 setts General Laws with a view towards determining whether
17 or not the rights of mentally ill and mentally retarded patients
18 specified therein are being fully implemented and whether or
19 not said patients rights are sufficient or additional ones should
20 be statutorily required.

21 The commission shall report to the General Court the re-
22 sults of its investigation and study, and its recommendations,
23 if any, together with drafts of legislation necessary to carry
24 such recommendations into effect, by filing the same with the
25 clerk of the house of representatives on or before the last
26 Wednesday of December, Nineteen Hundred and Seventy-Six.

