

By Mr. Ahearn of Norwood, petition of David C. Ahearn that funds received from the federal government as reimbursement for projects and programs established by the Department of Mental Health be credited to a separate fund to be known as the mental health fund. Federal Financial assistance.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PROVIDING FOR IMPROVED MENTAL HEALTH SERVICES AND FACILITIES.

1 *Whereas*, The interests of the commonwealth will be served  
2 by providing improved mental health services and facilities  
3 and whereas appreciation of the comprehensive program of  
4 mental health care may be enhanced through experiments  
5 consisting of incentive programs to maintain or improve  
6 mental health services while saving on program costs, and  
7 whereas the Federal Government provides such an incentive  
8 program, and whereas the program provides for waivers of  
9 the usual cost standard and will, to the extent of the waiver,  
10 bear excess costs, and whereas a program of experimentation  
11 will be best effectuated through a separate fund under the  
12 supervision and control of the department of mental health,  
13 and whereas such an experiment will be completed, and  
14 reported upon and the results measured and the control of  
15 the funds thereafter returned to the legislature.

*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 29 of the General Laws is hereby amended by  
2 inserting after section 2C the following section:—  
3 *Section 2D.* Provisions of section 2B to the contrary  
4 notwithstanding there shall be established and set up on the  
5 books of the commonwealth a separate fund to be known as

6 the Mental Health Fund. Money received from the Federal  
7 Government on account of projects, including capital im-  
8 provement projects, financed in whole or in part by appro-  
9 priation authorized to be made by the department of mental  
10 health in conjunction with a Federal Government total or  
11 partial reimbursement program and related to objectives over  
12 which the department of mental health has cognizance by the  
13 laws of the commonwealth shall be credited to such fund. The  
14 commissioner of mental health is hereby appointed trustees  
15 of this fund and may make disbursements from it for the  
16 purpose of improved mental health services and facilities.  
17 The commissioner or his designee may enter into incentive  
18 agreements with the Secretary of Health, Education, and  
19 Welfare of the Government of the United States for the  
20 purpose of improving services and facilities and/or lowering  
21 ultimate costs of the program. Said disbursements shall be  
22 subject to the provisions of law regulating disbursement of  
23 public funds and shall be limited to the maximum amount of  
24 expenditures which may, in the absence of termination for  
25 any reason, be made as a result of an agreement with the  
26 Federal Government.

27 The commissioner shall annually, sixty days prior to com-  
28 mencement of the fiscal year, present the treasurer of the  
29 commonwealth with a plan which sets forth the expenditures  
30 anticipated during the forthcoming fiscal year. This plan  
31 shall include a brief description of each program currently in  
32 progress or which is contemplated, will commence within the  
33 forthcoming fiscal year, its objectives, and the accomplish-  
34 ments anticipated during the forthcoming year. The program  
35 plan shall be in sufficient detail to enable periodic reviews  
36 and measurement of the progress and to permit the treasurer  
37 to make periodic deposits into said funds so that current  
38 obligations may be met. All other funds shall be within the  
39 exclusive control of the treasurer to the extent provided by  
40 law.