

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia relative to medical care for persons in mental health facilities. Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT RELATIVE TO THE PROVISION OF MEDICAL CARE FOR PERSONS IN MENTAL HEALTH FACILITIES.

*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. The first paragraph of section 4 of chapter 123  
2 of the General Laws, as appearing in the 1986 Official Edition,  
3 is hereby amended by striking out, in lines 71 and 72, the words  
4 "physical examination by a physician licensed under the provi-  
5 sions of chapter one hundred and twelve at least" and inserting  
6 in place thereof the words: — comprehensive physical examina-  
7 tion by a physician licensed under the provisions of chapter one  
8 hundred and twelve at least upon admission and.

1 SECTION 2. Said section 4 of said chapter 123, as so  
2 appearing, is hereby further amended by inserting after the first  
3 paragraph the following two paragraphs: —

4 During an admission examination, a periodic physical  
5 examination, or on a continuing basis, the examining physician  
6 shall identify all persons who require intermediate nursing  
7 services, skilled nursing services, chronic disease hospital services  
8 or rehabilitation hospital service, as referred to in the regulations  
9 promulgated by the department of public welfare, regardless of  
10 any person's need to have such service provided in an institutional  
11 setting. Upon such identification, a report of the same shall be  
12 made by such physician to the commissioner, who shall maintain  
13 statistical records regarding such persons.

14 The department of mental health shall provide an individual  
 15 service plan for every person so identified within thirty days of  
 16 such identification, which plan shall be written pursuant to the  
 17 standards and procedures established in the rules and regulations  
 18 of said department, relative to the standards by which an  
 19 individual may request and receive mental health services and  
 20 which shall note each of the persons physical health care needs.  
 21 Each service plan shall provide for services in the most age  
 22 appropriate and disability appropriate setting consistent with the  
 23 mental health needs of each person.