

Accompanying the seventh recommendation of the Executive Office of Human Services (House, No. 167). Human Services.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT REGARDING REPORTS OF INSTITUTIONAL CHILD ABUSE.

*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 51B of chapter 119 of the General Laws,  
2 as most recently amended by chapter 288 of the Acts of 1983, is  
3 hereby amended by adding clauses (9) and (10) as follows:  
4 (9) notify in writing the Office for Children by transmitting to  
5 the Office a copy of the report received under section fifty-one A  
6 and a copy of the report prepared under section fifty-one B if and  
7 when that report alleges that abuse or neglect occurred at a facility  
8 operated by a person subject to licensure or approval by the office  
9 for children under section ten of chapter twenty-eight A of the  
10 General Laws, and when the department has substantiated said  
11 report. The department and the office for children may coordinate  
12 their respective activities conducted under this section and section  
13 10 (f) of chapter twenty-eight A of the General Laws. No provision  
14 of chapter sixty-six A, section one hundred and thirty-five of chap-  
15 ter one hundred and twelve, sections fifty-one E and fifty-one F of  
16 this chapter, or any other provisions of law, shall prohibit the  
17 department from transmitting a copy of said 51A and 51B reports  
18 to the office for children, or from conducting coordinated activities  
19 and sharing information with the office for children as herein  
20 provided, or from having its employees testify at administrative  
21 hearings held by the office for children in connection with matters  
22 about which the department has provided notice to the office for  
23 children under this section. The department and the office shall in  
24 particular make all reasonable efforts to minimize the number of  
25 interviews of any child-victim which may be necessary. If as a result  
26 of any 51A report or 51B investigation, the department is made

27 aware of information or circumstances indicating a licensing viola-  
28 tion in any facility operated by a person subject to licensure or  
29 approval by the office for children, the department shall forthwith  
30 notify the office for children of such information. No provision of  
31 chapter sixty-six A, sections fifty-one E and fifty-one F of this  
32 chapter, or any other provision of law shall prohibit the office for  
33 children from providing information to the department in connec-  
34 tion with matters about which the department has provided notice  
35 to the office for children under this section.

36 (10) notify in writing the department of mental health, depart-  
37 ment of public health, department of public welfare, and depart-  
38 ment of youth services by transmitting to any of said departments a  
39 copy of the report received under section fifty-one A and a copy of  
40 the report prepared under section fifty-one B if and when that  
41 report alleges that abuse or neglect occurred at a facility owned,  
42 operated, licensed or funded, in whole or in part, by any of said  
43 departments, and when the department of social services has sub-  
44 stantiated said report. The department of social services and any of  
45 said departments may coordinate their respective activities con-  
46 ducted under this section, and shall in particular make all reason-  
47 able efforts to minimize the number of interviews of any child-  
48 victim which may be necessary. No provision of chapter sixty-six A,  
49 section one hundred and thirty-five of chapter one hundred and  
50 twelve, sections fifty-one E and fifty-one F of this chapter, or any  
51 other provision of law, shall prohibit the department of social  
52 services from transmitting a copy of said 51A and 51B reports to  
53 any of said departments or from conducting coordinated activities  
54 and sharing information with any of said departments as herein  
55 provided, or from having its employees testify at administrative  
56 hearings held by any of said departments in connection with mat-  
57 ters about which the department of social services has provided  
58 notice to any of said departments under this section.

1 SECTION 2. Section 10 of chapter 28A of the General Laws is  
2 hereby amended by adding the following clause (f): —

3 (f) The office shall promptly investigate and evaluate any notice  
4 transmitted to the office by the department of social services under  
5 section fifty-one B of chapter one hundred and nineteen of the  
6 General Laws. Such investigation and evaluation shall determine

7 whether the facility being operated by a person subject to licensure  
8 under this section is being operated in compliance with chapter 28A  
9 and with the rules and regulations established under paragraph (c)  
10 of this section. Further, if during the course of any such investiga-  
11 tion and/or licensing study conducted by the office, any agent or  
12 employee of the office receives or discovers information concerning  
13 the occurrence of child abuse and/or neglect, the individual shall be  
14 required to make a report to the department of social services,  
15 pursuant to the provisions of chapter one hundred nineteen section  
16 fifty-one A.

The following is a list of the names of the persons who were members of the...

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