

Accompanying the fifth recommendation of the Department of Social Services (House, No. 292). Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

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

AN ACT RELATING TO THE MULTI-DISCIPLINARY TEAMS AND THE INVESTIGATION OF CHILD ABUSE BY DISTRICT ATTORNEYS.

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1 Section 51D of Chapter 119 is hereby repealed and the following
2 section is inserted in place thereof:

3 119:51D. Powers and duties of area directors; multi-disciplinary
4 service teams.

5 Section 51D. Each area director of the department shall be
6 responsible for implementing the provisions of clause (4) of
7 section fifty-one B. Each such director shall report to the
8 appropriate district attorney cases as provided in said clause (4).

9 Each such area director shall, in cooperation with the
10 appropriate district attorney, establish one or more multi-
11 disciplinary service teams to review the provision of services to
12 children and their families who are the subject of such reports.
13 Such teams shall each consist of one representative of the
14 department who shall be the caseworker for the particular case,
15 one representative of the appropriate district attorney, and at least
16 one other member who is not an employee of either such office
17 but shall be appointed by the director. The additional member
18 shall have training and experience in the fields of child welfare
19 or criminal justice and, as far as practicable, be involved with the
20 provisions of services to such families. No members of such team
21 shall receive any compensation, or in the case of a state employee,
22 any additional compensation, for services on such team.

23 Such team shall review and monitor the service developed by
24 the department pursuant to clause (5) of section fifty-one B. Such
25 team shall evaluate such service plan in regard to its effectiveness
26 in protecting the child from further abuse or neglect. Such team
27 shall make necessary recommendations regarding amendments to
28 the service plan, the advisability of prosecuting members of the
29 family, and the possibility of utilizing diversionary alternatives.
30 If such team finds that services required under such plan are not
31 provided to such family, the case shall be referred to the
32 interagency children's services team established pursuant to
33 section six A of chapter twenty-eight A.

34 Such multi-disciplinary service team shall have full access to
35 such service plan and any personal data known to the department
36 which is directly related to the implementation of such plan,
37 notwithstanding the provisions of chapter sixty-six A, section one
38 hundred and thirty-five of chapter one hundred and twelve, and
39 section fifty-one E and fifty-one F of this chapter. The members
40 of such team shall be considered to be employees of the
41 department for purpose of protecting the confidentiality of such
42 data and such data shall be utilized solely to carry out the
43 provisions of this section; provided, however, that such team may
44 report to such district attorney the information that the family
45 has failed to participate in such plan.

46 Each such director shall file a monthly report with the
47 commissioner of the department regarding the activities in the
48 region which have occurred in the previous month pursuant to
49 this section. Such report shall be written on a form prescribed by
50 said commissioner and shall include, but not be limited to, the
51 number of cases reported pursuant to clause (4) of section fifty-
52 one B, the activities of the multi-disciplinary service teams, the
53 availability of services which are required by such service plans,
54 and the number of family members that are subject of such reports
55 that have been prosecuted. Said commissioner, after deleting all
56 personal identifying information, shall file such reports with the
57 secretary of human services, each district attorney, the joint
58 committee on human services and elderly affairs, and the house
59 and senate committee on ways and means.