

By Mr. Kollios of Millbury, petition of Paul Kollios for legislation to further regulate community services for certain patients of the Department of Mental Health and the Department of Mental Retardation, Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

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

AN ACT TO FURTHER THE PROVISION OF COMMUNITY SERVICES.

*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 4 of Chapter 123 as appearing in the 1990  
2 Official Edition of the General Laws is hereby amended by  
3 inserting after the first sentence the following: — The periodic  
4 review shall be conducted pursuant to uniform standards and  
5 procedures for individual service plans, as set forth in the  
6 regulations of the department.

1 SECTION 2. The third paragraph of said section 4 of said  
2 chapter 123, as so appearing, is hereby amended by striking out  
3 the third sentence and inserting in place thereof the following  
4 sentence: — Following any review under the provisions of this  
5 section, or at any other time, any patient who no longer requires  
6 continued hospitalization shall be discharged and provided  
7 treatment and support in an appropriate community setting, as  
8 set forth in the person's individual service plan.

1 SECTION 3. Section 4 of Chapter 123B as appearing in the  
2 1990 Official Edition of the General Laws, is hereby amended by  
3 inserting after the first sentence the following: — The periodic  
4 review shall be conducted pursuant to the uniform standards and  
5 procedures for individual service plans, as set forth in the  
6 regulations of the department.

1 SECTION 4. The second paragraph of said section 4 of said  
2 chapter 123B, as so appearing, is hereby amended by adding the  
3 following sentence: — If the person is no longer in need of care  
4 as a resident, he shall be discharged and provided habilitation and  
5 support in an appropriate community setting, as set forth in the  
6 person's individual service plan.

1 SECTION 5. The departments of mental health and mental  
2 retardation shall report to the house and senate committees on  
3 ways and means and the joint committee on human services and  
4 elderly affairs annually the number of individual service plans  
5 developed; the number and type of services implemented pursuant  
6 to the individual service plans; the number of persons for whom  
7 individual service plans have yet to be developed; related  
8 expenditures; and other information pertinent to the implemen-  
9 tation of the individual service plans. Each such report shall be  
10 filed by July thirty-first of each year.

1 SECTION 6. The departments of mental health and mental  
2 retardation shall develop and begin to implement individual  
3 service plans for all persons residing within each department's  
4 facilities; provided, however, that all such individual service plans  
5 are developed by December thirty-first, nineteen hundred and  
6 ninety-two and provided further that the departments of mental  
7 health and mental retardation shall submit a plan for  
8 implementation by June thirtieth, nineteen hundred and ninety-  
9 three. Said plan shall require that thirty-three percent of said  
10 individual service plans be implemented by June thirtieth,  
11 nineteen hundred and ninety-four, thirty-three percent by June  
12 thirtieth, nineteen hundred and ninety-five, and thirty-four  
13 percent by June thirtieth, nineteen hundred and ninety-six.