

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia relative to providing appropriate 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-Three.

AN ACT RELATIVE TO PROVIDING APPROPRIATE 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 1990 Official Edition,
3 is hereby amended by striking out, in lines 22, 23 and 24, the words
4 "physical examination by a physician licensed under the
5 provisions of chapter one hundred and twelve" and inserting in
6 place thereof the words: — comprehensive physical examination
7 by a physician licensed under the provisions of chapter one
8 hundred and twelve 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, periodic physical examina-
5 tion and on a continuing basis, the examining physician shall
6 identify all persons who require intermediate nursing services,
7 skilled nursing services, chronic disease hospital services or
8 rehabilitation hospital services, 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 person's 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.