

By Mr. Wallace of Boston, petition of Brian P. Wallace for legislation to require parental notice of treatment of minors for drug overdoses. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT REQUIRING PARENTAL NOTICE OF TREATMENT OF MINORS FOR DRUG OVERDOSES.

1     *Whereas*, the deferred operation of this act would tend to defeat  
2 its purpose, which is forthwith to require parental notice of a drug  
3 overdose of a minor, therefore, it is hereby declared to be an  
4 emergency law, necessary for the immediate preservation of the  
5 public convenience.

*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 12F of chapter 112 of the General Laws,  
2 as appearing in the 2004 Official Edition, is hereby amended by  
3 striking out, in lines 37 and 38, the words “minor or a proper judi-  
4 cial order” and inserting in place thereof the following words:—  
5 minor, a proper judicial order or in case of treatment for a drug  
6 overdose, as defined by department of public health regulation.

1     SECTION 2. Said chapter 112, as so appearing, is hereby fur-  
2 ther amended by inserting after section 12F the following  
3 section:—

4     Section 12F½ Any physician or hospital that treats a person 17  
5 years of age or younger for a drug overdose, as defined by depart-  
6 ment of public health regulation, shall notify the minor’s parents  
7 or legal guardians of the overdose as part of the discharge plan-  
8 ning process for the minor. The notification shall only be made in  
9 a meeting including the treating clinician and the minor’s parents  
10 or guardian. The treating clinician shall provide the parents or  
11 legal guardians with the current contact information for the bureau

12 of substance abuse services within the department of public health  
13 and the substance abuse hotline operated by the department of  
14 public health.

1 SECTION 3. Within 60 days of the effective date of this act,  
2 the department of public health shall promulgate a regulation  
3 defining the words “drug overdose”.

1 SECTION 4. Sections 1 and 2 shall take effect 90 days from  
2 passage.