

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia for legislation to provide services for medically ill and mentally ill persons. Human Services and Elderly Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE SERVICES FOR MEDICALLY ILL, MENTALLY ILL PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 At least the first twelve and one half percent of any placements
2 of persons in new department of mental health adult community
3 residential programs receiving operating funds within a fiscal year,
4 including but not limited to placements in existing community
5 residential programs which are not yet operational, shall be
6 provided in community residential programs with medical/
7 nursing care components for persons requiring both long-term
8 mental health services and at least intermediate nursing care
9 services, as defined in the regulations of the department of public
10 welfare, regardless of any person's need to have such services
11 provided in an institutional setting, until such time that at least
12 one hundred sixty such placements in community residential
13 programs with medical/nursing care components are provided
14 and maintained, as required by the comprehensive statewide plan
15 developed pursuant to Section 79 of Chapter 169 of the Acts of
16 1987.

17 In the event that twelve and one-half percent of the new
18 community residential placements funded equals an amount
19 adequate to provide only a fractional portion of, or a whole
20 number plus a fractional portion of, the operating or capital funds
21 necessary to fund a whole number of community residential

22 programs with medical/nursing care components, the department
23 shall provide an additional amount adequate to fund the next
24 higher whole number of community residential programs with
25 medical/nursing care components.

26 For each department of mental health inpatient bed that is
27 closed during a fiscal year, commencing with fiscal year nineteen
28 hundred and ninety, at the Hadley building at Westborough state
29 hospital, the Worcester geriatric unit at Worcester state hospital,
30 and at any other department of mental health inpatient unit(s)
31 composed entirely or almost entirely of clients with intermediate,
32 skilled or chronic disease hospital level nursing care needs, an
33 amount equal to the per diem cost of operating such bed
34 multiplied by the number of days of the fiscal year during which
35 the bed is closed, shall be transferred from the department of
36 mental health 5095-0000 account to the 5046-0000 account for the
37 purpose of funding the operation of community residential
38 programs with medical/nursing components as required under
39 said comprehensive statewide plan, and shall be annualized in
40 subsequent fiscal years in the 5046-0000 account.

41 The department of mental health shall create a master plan to
42 develop at least one hundred sixty community residential
43 placements with medical/nursing care components, assuming five
44 year implementation, starting with fiscal year 1992, and requiring
45 the development of at least thirty-two placements per year, subject
46 to appropriation. The Department of Mental Health shall submit
47 the master plan to the house and senate committees on ways and
48 means on December 31, 1992 and shall submit a report regarding
49 implementation of the master plan, adjusted if necessary based
50 on the prior or current fiscal year appropriation, quarterly
51 thereafter. Such plan shall require that programs be comparable
52 in size to other department of mental health community
53 residential programs, and geographically spread throughout the
54 department of mental health regions in the commonwealth. Such
55 plan and quarterly reports shall designate, by department of
56 mental health region, the types of programs to be developed each
57 year, the level of medical/nursing care to be provided on site at
58 each program, the projected starting date for each program, the

59 number of clients in each program, and the names of clients
60 projected for placement in each program.

61 The department shall keep a separate waiting list of persons
62 waiting for community residential placements with medical/
63 nursing care components. Such list shall be developed by
64 December 31, 1992, and updated monthly.

