SENATE DOCKET, NO. 597 FILED ON: 1/19/2011

SENATE . . . . . No. 989

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to the civil commitment for alcoholism or substance abuse at certain facilities..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	☐ *[District]* ☐
Chris Walsh	*6th Middlesex*

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SENATE . . . . . No. 989

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 989) of Karen E. Spilka and Chris Walsh for legislation relative to the civil commitment for alcoholism or substance abuse at certain facilities. Mental Health and Substance Abuse.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *748* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to the civil commitment for alcoholism or substance abuse at certain facilities..

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

SECTION 1. Section 7 of chapter 111B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 26 – 29, the words, "or if any such person is committed for rehabilitative purposes to the Massachusetts correctional institution, Bridgewater or to the Massachusetts correctional institution, Framingham, he shall be required to remain for a period of not less than ten days."

SECTION 2. Section 7 of chapter 111B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following sentence:-

The department shall ensure that no one is committed to the Massachusetts correctional institutions at Bridgewater and Framingham for rehabilitative purposes, pursuant to this section or pursuant to section 35 of chapter 123 of the General Laws.

SECTION 3. Section 35 of chapter 123 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word "psychologist," in line 33, the following words:- The person shall be assessed using a standardized evaluation tool to be created by the Department of Mental Health in collaboration with the Department of Public Health.

17 SECTION 4. Said Section 35 of chapter 123 is hereby amended by striking
18 out, in lines 41 – 49, the following two sentences:- "The person may be committed to the
19 Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female,
20 provided that there are not suitable facilities available under chapter one hundred and eleven B;
21 and provided, further that the person so committed shall be housed and treated separately from
22 convicted criminals. A person so committed may be released prior to the expiration of the period
23 of commitment upon determination by the superintendent that release of said person will not
24 result in a likelihood of serious harm."

25 SECTION 5. Said Section 35 of chapter 123 is hereby further amended by
26 striking out, in lines 58 – 60, the words, "including the separated facilities at the Massachusetts
27 correctional institutions at Bridgewater and Framingham".

28 SECTION 6. Notwithstanding any general or special law to the contrary, the
29 department of mental health in collaboration with the department of public health shall study and
30 report to the joint committee on mental health and substance abuse and the joint committee on
31 public health the budgetary needs required to provide enough secure treatment beds to meet the
32 requirements of this section by December 31, 2012. The report shall include immediate
33 budgetary needs for fiscal year 2013 and projected annual expenditure requirements through
34 fiscal year 2018.