

**HOUSE . . . . . No. 2389**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Ruth B. Balsler***

*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 adoption of the accompanying bill:

An Act transferring Bridgewater State Hospital from the Department of Corrections to the Department of Mental Health.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>

*Thomas M. Stanley*

*9th Middlesex*

*Carlos Gonzalez*

*10th Hampden*

*James Arciero*

*2nd Middlesex*

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By Ms. Balsler of Newton, a petition (accompanied by bill, House, No. 2389) of Ruth B. Balsler and others relative to placing oversight of Bridgewater State Hospital under the Department of Mental Health. Mental Health, Substance Use and Recovery.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act transferring Bridgewater State Hospital from the Department of Corrections to the Department of Mental Health.

*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 7 of Chapter 19, as so appearing, is hereby amended by inserting  
2           “including the Bridgewater State Hospital” after the words “public facilities” in the first sentence  
3           of the first paragraph:–

4           SECTION 2. Section 7 of Chapter 19, as so appearing, is hereby amended by inserting  
5           after the first paragraph the following paragraph: -

6           The commissioner shall have the responsibility for the operation and oversight of  
7           Bridgewater State Hospital and for providing, according to the rules and regulations of the  
8           department of mental health, all medical and mental health treatment for all men sent to that  
9           facility. The Commissioner will operate Bridgewater State Hospital in accordance with section  
10          16A of this chapter, the provisions of chapter 123 and regulations of the department. The  
11          Commissioner shall provide forensic services for individuals committed for evaluation or

12 treatment pursuant to sections 15 through 18 of chapter 123, as well as continuing care inpatient  
13 services for individuals determined to require strict security in accordance with the regulations of  
14 the department.

15 SECTION 3. Section 18 of Chapter 125, as so appearing, is hereby repealed.

16 SECTION 4. Chapter 19 of the General Laws, as so appearing, is hereby amended by  
17 inserting after section 16A the following section:—

18 Section 16B. The department shall develop and maintain, in accordance with its  
19 standards, a division of forensic mental health services to provide forensic services that shall  
20 include, but shall not be limited to: court-ordered evaluations of competence to stand trial,  
21 criminal responsibility, and aid-in-sentencing; programs and services for restoration of  
22 competence for individuals who have been adjudicated incompetent to stand trial; evaluations of  
23 need for care and treatment for individuals who have been adjudicated incompetent to stand trial,  
24 not guilty by reason of mental illness or who are being held in correctional facilities or places of  
25 detention; the setting of standards for and certification of clinicians qualified to perform  
26 evaluations; and specialized risk assessment evaluations; and the establishment and maintenance  
27 of court clinics for the performance of clinical consultations and court-ordered evaluations.  
28 Forensic services may also include, but shall not be limited to: programs and services for police  
29 and pre-trial diversion; post adjudication alternatives to incarceration, including specialty court  
30 services; and re-entry.

31 The division shall give major consideration to the development of forensic health services  
32 that can be provided in the community or in settings other than an inpatient facility.