

# HOUSE . . . . . No. 4927

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 28, 2022.

The committee on Public Safety and Homeland Security to whom was referred the petition (accompanied by bill, House, No. 2448) of Mindy Domb and others relative to barriers to medical parole, reports recommending that the accompanying bill (House, No. 4927) ought to pass.

For the committee,

CARLOS GONZÁLEZ.

**HOUSE . . . . . No. 4927**

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The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act to remove barriers to medical parole.

*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. Chapter 6A of the General Laws shall be amended by inserting the  
2 following new section:-

3           Section 16CC. (a) A city or town may establish a division of civilian mental health  
4 advocates to respond to mental health crisis's and provide emergency mental health crisis  
5 intervention in situations that do not necessitate the presence of law enforcement personnel. The  
6 city or town shall do so pursuant to Section 4 of Chapter 4 of the General Laws and adhere to the  
7 following provisions in structuring the division of civilian mental health advocates:-

8           (1) the civilian mental health advocate may provide emergency response in areas where  
9 police, fire or ems personnel are not necessary or may accompany a police, fire or ems to  
10 respond to behavioral health related matters;

11           (2) the city or town shall determine the minimum qualifications for a civilian mental  
12 health advocate so long as being a licensed social worker prior to being hired are among the  
13 requirements;

14 (3) the city or town shall determine the minimum qualifications for a civilian mental  
15 health advocate including whether the civilian mental health advocate must be trained in first  
16 response, emergency first aid, emergency vehicle operation and any other area the city or town  
17 deems necessary;

18 (3) the division of civilian mental health advocates may consult with the Executive Office  
19 of Health and Human Services in developing rules and regulations relative to this section.

20 (b) Cities or Towns establishing civilian mental health advocate division is subject to  
21 securing or appropriation of funds prior to the city or town adopting this act.

22 (c) The city or town shall produce an annual report on the impacts of the division of  
23 civilian mental health advocates to be submitted to the Governor, the Attorney General, the  
24 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint  
25 Committee on Public Safety and Homeland Security.

26 SECTION 2. Chapter 22D of the of the Massachusetts General Laws, as appearing in the  
27 2020 edition, is hereby amended by inserting, after section 6, the following section:-

28 Section 7. (a) A city or town may establish a division of civilian mental health advocates  
29 within the city or town fire department shall do so pursuant to Section 4 of Chapter 4 of the  
30 General Laws and adhere to the following provisions in structuring the division of civilian  
31 mental health advocates:-

32 (1) the civilian mental health advocate may accompany a fire fighter or EMT to respond  
33 to behavioral health related matters;

34 (2) the city or town shall determine the minimum qualifications for a civilian mental  
35 health advocate so long as being a licensed social worker prior to being hired are among the  
36 requirements;

37 (3) the city or town shall determine the minimum qualifications for a civilian mental  
38 health advocate including whether the civilian mental health advocate must be trained in first  
39 response, emergency first aid, emergency vehicle operation and any other area the city or town  
40 deems necessary;

41 (4) the fire department may consult with the department of public health and the state  
42 department of fire services in developing rules and regulations relative to this section.

43 (b) Cities or Towns establishing civilian mental health advocate division is subject to  
44 securing or appropriation of funds prior to the city or town adopting this act.

45 (c) The city or town shall produce an annual report on the impacts of the division of  
46 civilian mental health advocates to be submitted to the Governor, the Attorney General, the  
47 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint  
48 Committee on Public Safety and Homeland Security.

49 SECTION 3. Chapter 41 of the of the Massachusetts General Laws, as appearing in the  
50 2020 edition, is hereby amended by inserting, after section 97F, the following section:-

51 Section 97G. (a) A city or town may establish a division of civilian mental health  
52 advocates within the city or town police department shall do so pursuant to Section 4 of Chapter  
53 4 of the General laws and adhere to the following provisions in structuring the division of  
54 civilian mental health advocates:-

55 (1) the civilian mental health advocate may accompany law enforcement officers of the  
56 police department to respond to non-violent or behavioral health-related matters. The department  
57 shall establish procedures to determine if a civilian mental health advocate is required to  
58 accompany police on a response;

59 (2) the city or town shall determine the minimum qualifications for a civilian mental  
60 health advocate so long as being a licensed social worker prior to being hired are among the  
61 requirements;

62 (4) the police department may consult with the department of public health and the  
63 division of police officer standards and training in developing regulations relative to this act.

64 (b) Cities or Towns establishing civilian mental health advocate division is subject to  
65 securing or appropriation of funds prior to the city or town adopting this act.

66 (c) The city or town shall produce an annual report on the impacts of the division of  
67 civilian mental health advocates to be submitted to the Governor, the Attorney General, the  
68 Speaker of the House of Representatives, the Senate President and the Chairs of the Joint  
69 Committee on Public Safety and Homeland Security.

70 SECTION 4. Chapter 6A of the General Laws is hereby amended by inserting after  
71 section 18D the following section:-

72 Section 18D½. (a) The department shall create, in consultation with organizations  
73 representing the mobility, hearing, speech and sight impaired communities, and publish on its  
74 website a statewide disability indicator form which a person may complete and submit to the  
75 department to notify primary and regional PSAP of certain disabilities. The disability indicator

76 form shall be available to subscribers of a wireless carrier, a wireline carrier or a prepaid wireless  
77 telephone service. The disability indicator form shall be written in clear language that is  
78 comprehensible to a person proficient in English at the fifth grade level and accessible to persons  
79 with visual disabilities. In any place, where 5 per cent of citizens of the commonwealth speak a  
80 language other than English as determined by the most recent American Community Survey of  
81 the United States Census Bureau, the disability indicator form shall be translated into that  
82 language.

83           The disability indicator form shall include space for the person to identify any mental  
84 health needs, intellectual and developmental disabilities, complex medical needs or neurological  
85 impairments, including, but not limited to: (i) the person has equipment required to sustain the  
86 person's life; (ii) the person is bedridden, a wheelchair user or has another mobility impairment;  
87 (iii) the person is legally blind; (iv) the person is deaf or hard of hearing; (v) communication via  
88 the phone may be by TTY; (vi) the person has a speech impairment; (vii) the person is  
89 cognitively impaired; (viii) the person has a service animal; (ix) the person requires translation  
90 services; or (x) any potential triggers for first responders to be aware of. The disability indicator  
91 form shall also include a space for a person to remove or change any disability indicators.

92           (b) The department, in consultation with organizations representing the mobility, hearing,  
93 speech and sight impaired communities, shall annually review the contents of the disability  
94 indicator form and amend the disability indicator form when needed, as determined by the  
95 department.