

HOUSE No. 4956

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin

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 requiring licensure for use of graduated electronic decelerators.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>1/31/2022</i>

HOUSE No. 4956

By Mr. Galvin of Canton, a petition (subject to Joint Rule 12) of William C. Galvin relative to licensure for the use of graduated electronic decelerators to alter behavior of persons with disabilities. Children, Families and Persons with Disabilities.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act requiring licensure for use of graduated electronic decelerators.

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

1 Chapter 111 of the General Laws is hereby amended by adding the following section:-

2 Section 244. (a) As used in this section, the term “graduated electronic decelerator” shall
3 mean a device that applies a noxious electrical stimulus or electric shock to the skin of a person
4 with a disability to alter behavior.

5 (b) The department shall promulgate rules and regulations for the training, certification
6 and licensing of individuals to administer or cause to be administered a procedure using a
7 graduated electronic decelerator. The regulations shall require a comprehensive training program
8 that includes, but is not limited to: (i) appropriate and necessary use; (ii) prohibited uses; (iii)
9 alternatives to use, including de-escalation strategies, positive reinforcement, non-aversive
10 measures and less intrusive procedures; (iv) safe administration, including ways to minimize
11 pain and injury; (v) health and safety risks of use and misuse; (vi) signs of abuse; (vii) evidence
12 of trauma; (viii) requirements for approval and supervision of use; (ix) penalties for unauthorized

13 use or misuse; (x) policies and procedures for reporting of unauthorized use or misuse; and (xi)
14 an examination approved by the department testing the applicant's professional skills, judgment
15 and fitness to administer or cause to be used a graduated electronic decelerator.

16 (c) No person shall administer, cause to be administered or supervise a person who
17 administers a procedure using a graduated electronic decelerator without a license. No person
18 with a license shall misuse, cause a graduated electronic decelerator to be misused or supervise a
19 person who misuses a graduated electronic decelerator.

20 (d) No entity operating within the commonwealth shall permit an individual without a
21 license granted pursuant to this section to administer or cause to be administered a procedure
22 using a graduated electronic decelerator. No entity operating within the commonwealth shall
23 permit an individual with a license granted pursuant to this section to misuse or cause a
24 graduated electronic decelerator to be misused.

25 (e) A violation of this section shall be punishable of a fine not to exceed \$500.