

# An Act Regarding Rights of Persons Receiving Services from Program of Facilities of the Department of Mental Health

House Bill Number 1895

Lead Sponsor: Representative Denise Provost

- **WHAT WILL THIS BILL DO?**

This bill will ensure that persons receiving services from the Department of Mental Health are granted an expedient and fair hearing if they feel that one of their five fundamental rights has been violated.

## **The Five Fundamental Rights of Persons Receiving Services from the Department of Mental Health:**

- Right to make and receive telephone calls.
- Right to send and receive sealed, unopened, and uncensored mail, unless there is good cause and documented facts that the person's mail should be checked.
- Right to receive visitors of the patient's choosing at reasonable times and within the facility's established visiting hours.
- Right to a humane psychological and physical environment. This environment shall provide living quarters and accommodations that are private and secure.
- Right to receive, or refuse to receive, visits and telephone calls from a patient's legal counsel, physician, psychologist, clergy member, or social worker.

- **WHY IS THIS BILL NEEDED?**

Current law states that if any of these five fundamental rights are violated, the person shall be "subject to a timely appeal," however, there is no established time frame. This bill would require that a hearing is conducted within 30 days of the complaint being filed.

Within 30 days of the conclusion of the hearing, a written decision will be issued containing the findings and conclusions of the hearing. This decision may order remedial relief. The complainant and the Department of Mental Health will both receive a copy of this decision.

- **WHAT AREA OF THE LAW WILL THIS BILL ADDRESS?**

This bill will amend Section 23 of chapter 123 of the General Laws.

For more information, please contact Representative Denise Provost  
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