

# The Commonwealth of Massachusetts

In the Year Two Thousand and Thirteen

Be It Enacted, by the Senate and House of Representatives, etc., as follows:

AN ACT TO ENSURE FULL AND EQUAL ACCESS TO SERVICES FROM THE DEPARTMENT OF MENTAL HEALTH FOR INDIVIDUALS WITH AUTISM SPECTRUM DISORDERS AND RELATED CONDITIONS WHO OTHERWISE MEET THE ELIGIBILITY CRITERIA FOR DMH SERVICES
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## SECTION 1:

Section 1 of Chapter 123 as appearing in the \_\_\_ Official Edition, is hereby amended by inserting the following definitions:

### *Autism Spectrum Disorder*

An individual must meet criteria A, B, C and D:

**A. Persistent deficits in social communication and social interaction across contexts, not accounted for by general developmental delays, and manifest by all 3 of the following:**

1. Deficits in social-emotional reciprocity; ranging from abnormal social approach and failure of normal back and forth conversation through reduced sharing of interests, emotions, and affect and response to total lack of initiation of social interaction.
2. Deficits in nonverbal communicative behaviors used for social interaction; ranging from poorly integrated- verbal and nonverbal communication, through abnormalities in eye contact and body-language, or deficits in understanding and use of nonverbal communication, to total lack of facial expression or gestures.
3. Deficits in developing and maintaining relationships, appropriate to developmental level (beyond those with caregivers); ranging from difficulties adjusting behavior to suit different social contexts through difficulties in sharing imaginative play and in making friends to an apparent absence of interest in people

**B. Restricted, repetitive patterns of behavior, interests, or activities as manifested by at least two of the following:**

1. Stereotyped or repetitive speech, motor movements, or use of objects; (such as simple motor stereotypies, echolalia, repetitive use of objects, or idiosyncratic phrases).
2. Excessive adherence to routines, ritualized patterns of verbal or nonverbal behavior, or excessive resistance to change; (such as motoric rituals, insistence on same route or food, repetitive questioning or extreme distress at small changes).
3. Highly restricted, fixated interests that are abnormal in intensity or focus; (such as strong attachment to or preoccupation with unusual objects, excessively circumscribed or perseverative interests).
4. Hyper- or hypo-reactivity to sensory input or unusual interest in sensory aspects of environment; (such as apparent indifference to pain/heat/cold, adverse response to specific sounds or textures, excessive smelling or touching of objects, fascination with lights or spinning objects).

**C. Symptoms must be present in early childhood (but may not become fully manifest until social demands exceed limited capacities)**

**D. Symptoms together limit and impair everyday functioning**

*Conditions related to Autism Spectrum Disorder*

These shall include but not be limited to Social Communication Disorder, Asperger's Disorder, and Pervasive Developmental Disorder Not Otherwise Specified.

SECTION 1A:

Chapter 123 is hereby amended by inserting the following Section:

The Department of Mental Health will provide emergency, crisis, acute care, and ongoing treatment and support for people with Autism Spectrum Disorder and related conditions, who otherwise meet the eligibility criteria for DMH services.

These services will be designed to meet the needs of individuals with Autism Spectrum Disorder and related conditions. They will be provided by clinicians who have training and expertise in Autism Spectrum Disorders and related conditions.

For individuals with Autism Spectrum Disorder or a related condition who have co-occurring mental health issues, DMH will work closely with the Department of Developmental Services to determine the responsible agency for delivery of service.

SECTION 2:

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by striking "mentally ill and persons with an intellectual disability" on line \_\_ and inserting in place thereof the words-

persons with mental illness and intellectual or developmental disabilities

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by striking “mentally ill and mentally retarded individuals” on line \_\_ and inserting in place thereof the words-

persons with mental illness and intellectual or developmental disabilities

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by striking “a person with an intellectual disability and mentally ill” on line \_\_\_ and inserting in place thereof the words-

a person with an intellectual or developmental disability and a mental illness

Section 21 of Chapter 19 as appearing in the 2010 Official Edition is hereby amended by inserting, on line \_\_\_ following “intellectual disability”, the words-

or a developmental disability,