

S.1386/H.3291

FACT SHEET

S.1386/H.3291: An Act to transfer Bridgewater State Hospital from the Department of Corrections to the Department of Mental Health (Sen. Creem/Rep. Balsler)

THE PROBLEM

Bridgewater State Hospital (BSH) is currently under the control of the Department of Correction (DOC) with minimal input from the Department of Mental Health (DMH) even though BSH serves individuals living with a mental health condition. Despite its name, BSH is not an accredited hospital. Issues at BSH include excessive or inappropriate use of forced medication, chemical and physical restraints, seclusion, prison-like conditions, and lack of access to mental health care. Patients living with mental health conditions deserve trauma-informed, person-centered mental health care that DOC does not provide. If BSH were under the control of DMH, there would be stronger regulations and accountability measures in place as well as more opportunities for appropriate mental health care.

WHAT DOES THIS BILL DO?

OVERALL: This bill will transfer operation and oversight of BSH to the Department of Mental Health (DMH) from the Department of Correction (DOC).

SPECIFICALLY:

- **Removes BSH from DOC's control**
- Adds BSH as a **state facility under DMH control**
 - DMH assumes responsibility for providing medical care
- Requires DMH to **maintain a minimum of forensic mental health services**
 - This will enhance the range and availability of forensic health services
 - Instructs DMH to **develop a forensic mental health services division**
 - Division will provide forensic services like evaluations of competence, the establishment of court clinics for consultation and court ordered evaluations, and re-entry
 - Division must give "major consideration" to forensic health services **based in the community** or outside of inpatient care
- Requires the DMH Commissioner to review and sign copies of patient restraint forms
 - **Strengthens oversight of uses of restraint**

