



October 14, 2025

Chair John Velis
Joint Committee on Mental Health, Substance
Use, and Recovery
State House, Room 513
24 Beacon St
Boston, MA 02133

Chair Mindy Domb
Joint Committee on Mental Health, Substance
Use, and Recovery
State House, Room 33
24 Beacon St
Boston, MA 02133

Re: Support for S.1389/H.2211 - An Act modernizing the 6 fundamental rights

Dear Chair Velis, Chair Domb, and Honorable Members of the Committee,

On behalf of the National Alliance on Mental Illness of Massachusetts (NAMI Mass), I write to express our strong support for **S.1389/H.2211**, *An Act modernizing the 6 fundamental rights*.

NAMI Mass is a grassroots nonprofit organization comprised of individuals with mental health conditions, their families, and caregivers. We provide education, support, and training to people impacted by mental health conditions across Massachusetts. One of the primary ways we do this is through our Compass Helpline, where we share information, ideas, resources, and support to help people navigate the complex mental health system and related systems of care.

We are acutely aware that individuals living with mental health conditions are vulnerable to discrimination and violations of their human rights within care settings. Through our work on the Compass Helpline, we regularly hear from individuals and family members about serious rights violations occurring in the Department of Mental Health (DMH), licensed or contracted facilities across the Commonwealth.

Unfortunately, we are often contacted after a violation has occurred. We receive reports of individuals being denied reasonable visitation of their loved ones in inpatient settings, sometimes without clear or documented cause. Others describe living conditions that are inhumane and fail to provide adequate privacy or dignity to properly recover. We also hear about excessively restricted phone access that limits individuals' ability to make confidential calls, including to loved ones or legal representatives.

This legislation would update the six fundamental rights outlined in Section 23 of Chapter 123 of Massachusetts General Law. Five of these rights were enacted in 1997, with the sixth added in 2015. Considering the evolving standards of care and communication, it is critical that these rights be modernized to better reflect the current needs and expectations of individuals receiving DMH services.

We are deeply aware that current laws and policies have, intentionally or not, perpetuated structural inequities within the mental health system—disproportionately affecting Black, Indigenous, and People of Color (BIPOC), LGBTQ+ individuals, people with disabilities, and other marginalized communities. These inequities manifest as unequal access to quality care, disparities in treatment, and heightened vulnerability to rights violations. By updating and strengthening the fundamental rights protections, this legislation seeks to dismantle these systemic barriers and promote fairness, dignity, and respect for all individuals under the care of the Department of Mental Health.

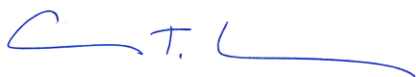
Specifically, S.1389/H.2211 institutes the following updated six fundamental rights:

1. Reasonable access to a telephone or videophone to make or receive confidential calls, including use of one's own device and necessary assistance.
2. The right to send and receive sealed, unopened, uncensored mail or email and access to writing materials and technology for communication.
3. The right to receive or refuse daily visitors in private, at flexible and reasonable times.
4. The right to a humane psychological and physical environment, including privacy and security aligned with an individual's stated gender identity.
5. The right to receive or refuse visits and calls at any reasonable time with legal, medical, peer, and faith-based providers.
6. Reasonable daily access to the outdoors, consistent with clinical safety and weather conditions.

These rights are essential to preserving the dignity, autonomy, and well-being of individuals receiving DMH services. They represent the foundation of a humane and rights-respecting system of care.

For these reasons, I urge you to report favorably on S.1389/H.2211 to safeguard the human rights of individuals under the care of DMH and to establish stronger mechanisms to prevent future violations. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'E. T. L.', with a long horizontal flourish extending to the right.

Eliza T. Williamson, M.Ed., MFA, CPS
Executive Director
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