



Massachusetts Treatment Law Report Card

Last Updated: January 2026

Method and scoring: *State involuntary civil commitment laws* are evaluated using a 100-point grading scale. The scoring criteria are in accordance with TAC's values and policy recommendations. Up to 50 points are awarded to a state based on the quality of its inpatient commitment law, and up to 50 points are awarded based on the quality of its outpatient commitment law. *Grades reflect solely what is written in law and not how those laws are implemented or applied.* Final letter grades are computed using the following scale:

97 or above	A+	87–89	B+	77–79	C+	67–69	D+	59 or below	F
93–96	A	83–86	B	73–76	C	63–66	D		
90–92	A-	80–82	B-	70–72	C-	60–62	D-		

PART ONE: Inpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. Citizen access to court, emergency evaluation (5 pts)	Mass. Gen. Laws ch. 123, § 12(e)	☒ Authorizes family/enumerated adults (3 pts) ☒ Authorizes any responsible adult (2 pts)	5
2. Quality of emergency petition process (5 pts)	Mass. Gen. Laws ch. 123, § 12	☐ Process specified and reasonable (2 pts) ☒ Timelines specified and reasonable (2 pts) ☒ Responsible entities identified (1 pt) ☐ Requires certification by more than one professional (-2 pts) ☐ Emergency evaluation criteria inconsistent with inpatient commitment criteria (-5 pts) <i>Unreasonably permits civil custody in carceral setting (See comment 1 below)</i>	3
3. Emergency hold duration (5 pts)	Mass. Gen. Laws ch. 123, § 12	☒ At least 48-hour hold allowed (3 pts) ☒ At least 72-hour hold allowed (2 pts) <i>Not to exceed 3 days</i>	5
4. Citizen access to court, inpatient petition (5 pts)	Mass. Gen. Laws ch. 123, § 7(a)	☐ Authorizes family/enumerated adults (3 pts) ☐ Authorizes any responsible adult (2 pts) <i>Only the superintendent of a facility may petition</i>	0
5. Quality of criteria for harm or violence to self or others (up to 10 pts)	Mass. Gen. Laws ch. 123, § 1	☒ Contains explicit criteria (10 pts) ☐ Language is vague/ambiguous (-3 pts) ☐ Harm must be imminent (-3 pts)	10
6. Quality of criteria for grave disability/basic needs (up to 10 pts)	Mass. Gen. Laws ch. 123, § 1	☒ Contains explicit criteria (10 pts) ☒ Language is vague/ambiguous (-3 pts) ☐ Endangerment must be imminent (-3 pts) ☐ Criteria require family to turn person out of home to receive treatment (-3 pts) ☒ Unreasonably high risk of harm (-3 pts) <i>(See comments 2-3 below)</i>	4
7. Quality of criteria for psychiatric deterioration (up to 10 pts)		☐ Contains explicit criteria (10 pts) ☐ Language is vague/ambiguous (-3 pts)	0
SUBTOTAL			27
PART ONE: Extra Credit			
1. Specifies in which court a petition for inpatient commitment shall be filed (1 pt)	Mass. Gen. Laws ch. 123, § 7	<i>District court within the jurisdiction of the facility's location.</i>	1
Extra Credit			1
PART ONE TOTAL			28

PART TWO: Outpatient Commitment Statute (up to 50 points)			
Criterion	Citation	Specifications	Points
1. AOT explicitly authorized (5 pts)		☐ Requires local government to adopt (-3 pts)	0
2. Citizen access to court for AOT (5 pts)		☐ Authorizes family/enumerated adults (3 pts) ☐ Authorizes any responsible adult (2 pts) ☐ Authorizes citizen petition to mental health system only (-2 pts)	0
3. Criteria sufficiently broad to provide actual access (up to 10 pts)		Evaluate applicable provision only: ☐ If inpatient/outpatient criteria are the same: ☐ Inpatient criteria include psychiatric deterioration standard (10 pts) <u>or</u> ☐ No psychiatric deterioration standard, adequate grave disability standard (5 pts) or ☐ If outpatient criteria are distinct from inpatient criteria: ☐ Allows consideration of length of treatment history ≥ 36 months (2 pts) ☐ Does not exclude periods of incarceration or hospitalization (-1 pt) ☐ Does not limit application to those currently dangerous or unstable (4 pts) ☐ Does not limit application to those refusing service or lacking insight (4 pts)	0
4. Authorizes AOT directly from community (5 pts)			0
5. Procedures sufficiently detailed to guide practitioners (up to 5 pts)		☐ Process specified and reasonable (1 pt) ☐ Timelines specified and reasonable (1 pt) ☐ Responsible entities identified (1 pt) ☐ Periodic reporting to court required (1 pt) ☐ Renewal process expressly specified (1 pt)	0
6. Procedures require the treatment plan to be shared with the court (5 pts)			0
7. Specifies procedures for nonadherence (5 pts)			0
8. Duration of initial order		☐ = 90 days (2 pts) <u>or</u> ☐ > 90 days (5 pts)	0
9. Duration of continued order		☐ = 180 days (2 pts) <u>or</u> ☐ > 180 days (5 pts)	0
SUBTOTAL			0
PART TWO: Extra Credit			
1. Specifies court for AOT (1 pt)			
2. Court monitoring of voluntary settlement agreements (5 pts)			
Extra Credit			0
PART TWO TOTAL			0

FINAL SCORE	
PART ONE TOTAL	28
PART TWO TOTAL	0
TOTAL	28
TREATMENT LAW GRADE	F

Comments:

- Mass. Gen. Laws ch. 123, § 13 permits transfer of civil male patients to Bridgewater state hospital, a facility operated by the department of corrections.

2. Mass. Gen. Laws ch. 123, § 1 does not provide a clear statement of what it means for a person's judgment to be "so affected that he is unable to protect himself in the community," a requirement that can lead to narrow interpretation by the courts.
3. Grave disability criterion requires "very substantial risk of physical impairment or injury" (emphasis added) while other criteria only require a "substantial risk of physical harm."