



## CLIENT ALERT

### **Schools Must Submit Updated Medical and Behavioral Health Emergency Response Plans to DESE by September 1, 2024**

Earlier this month, the Massachusetts Department of Elementary and Secondary Education (“DESE”), issued an updated [Model Medical and Behavioral Health Emergency Response Plan](#) (“MERP”) which was developed in consultation with the Massachusetts Departments of Public Health and Mental Health.

The new model MERP addresses recent 2022 amendments to M.G.L. c. 69, § 8A which require public schools to incorporate planning for behavioral health emergencies in addition to medical emergencies. Updated MERPs are expected to include cost-neutral strategies for addressing behavioral health crises and must include protocols for informing parents/guardians and reporting to DESE when a school contacts police, EMTs, or other non-behavioral health personnel to respond to a behavioral crisis. While DESE’s model MERP provides guidance to school districts and Commonwealth charter schools in developing their MERPs, DESE makes clear that the model MERP is not appropriate for every school. Each school will need to develop its MERP based upon its own specific circumstances, including existing medical and staffing resources and needs.

State law requires that each school committee and Commonwealth charter school board of trustees adopt a MERP, update it as needed, and submit it to DESE every three years. All MERPs must be updated to incorporate behavioral health emergency response protocols and submitted to DESE **on or before September 1, 2024**.

If you need assistance tailoring your MERP to your school’s unique circumstances, please contact Attorneys Bettina Toner ([btoner@kb-law.com](mailto:btoner@kb-law.com)) or Elka Sachs ([esachs@kb-law.com](mailto:esachs@kb-law.com)).