

**Commonwealth of Massachusetts
Department of Mental Health
Division of Clinical and Professional Services**

Request for Information: Competency Restoration

PURPOSE AND BACKGROUND

OBJECTIVE

DMH seeks pricing and program information from qualified vendors to deliver a training series on an evidence-based manualized competency restoration service.

CONTEXT AND CURRENT ENVIRONMENT

The Massachusetts Department of Mental Health (DMH) conducts court-ordered evaluations of individuals for competence to stand trial. Although DMH does not currently have a legislative mandate to restore individuals to competency, the Department is seeking information from qualified bidders on program elements and pricing for an educational and training program on competence restoration services. This training series will inform a competency restoration pilot unit, potentially to be expanded pending successful outcomes.

EXPECTED OUTCOME

Currently, evaluations for competence to stand trial are conducted on DMH's Continuing Care Units (CCU), which are severely capacity constrained. An expected impact of this competency restoration service will be to reduce the average length of stay of individuals undergoing evaluation for competence to stand trial. It is also expected that a higher volume of individuals will be restored to competence overall compared to the current baseline.

DEFINITIONS

Competence to Stand Trial Standard (CST): Competence to stand trial is a legal standard that determines whether a defendant has "sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding" and a "rational as well as factual understanding of the proceedings against him." It is a requirement for a fair trial under due process as decided in Dusky v. US (1960).

M.G.L. Section 15(b) Competence to stand trial, or criminal responsibility: "...The court may order that a person be hospitalized at a facility or, if such person is a male and appears to require strict security, at the Bridgewater state hospital, for a period not to exceed twenty days for observation and further examination, if the court has reason to believe that such observation and further examination are necessary in order to determine whether mental illness or mental defect have so affected a person that he is not competent to stand trial or not criminally responsible for the crime or crimes with which he has been charged."

M.G.L. Section 16(b) Hospitalization of persons incompetent to stand trial or not guilty by reason of mental illness: “During the period of observation of a person believed to be incompetent to stand trial or within sixty days after a person is found to be incompetent to stand trial or not guilty of any crime by reason of mental illness or other mental defect, the district attorney, the superintendent of a facility or the medical director of the Bridgewater state hospital may petition the court having jurisdiction of the criminal case for the commitment of the person to a facility or to the Bridgewater state hospital. However, the petition for the commitment of an untried defendant shall be heard only if the defendant is found incompetent to stand trial, or if the criminal charges are dismissed after commitment.

ADDITIONAL BACKGROUND

We invite respondents to pull from existing practice and literature on competency restoration services to inform their responses to our requested information:

Reimagining competency & restoration: From practice to possibility. January 13, 2026. National Center for State Courts: <https://www.ncsc.org/resources-courts/reimagining-competency-restoration-practice-possibility>

Legislative Primer Series on Front-End Justice: Competency to Stand Trial. June 20, 2025. National Conference of State Legislatures: <https://www.ncsl.org/civil-and-criminal-justice/legislative-primer-series-on-front-end-justice-competency-to-stand-trial>

AAPL Practice Guideline for the Forensic Psychiatric Evaluation of Competence to Stand Trial. 2007. The Journal of the American Academy of Psychiatry and the Law: <https://www.aapl.org/docs/pdf/Competence to Stand Trial.pdf>

INFORMATION REQUESTED

DMH is seeking input in the following areas:

1. **Staff Training.** Based on the context and current environment described in this RFI, how would you structure a training series to educate DMH employees on the essential components of competency restoration?
2. **Program Model.** Please provide a summary of the competency restoration program that staff would be trained to lead. What are the **major components** of the competency restoration service that DMH employees would then be trained to implement?
 - a. Please include how many educational sessions would be required to return them to competency on average, over what length of time (e.g., 3 months, 6 months)? Are there stages to the program? At what point would patients be advanced along those stages? What pre and post-stage testing are included in your model?

- b. Please include whether your service model typically includes a component on reporting regarding patients' competence.
 - c. How would your service incorporate competence to stand trial into a patient's ongoing treatment plan?
 - d. If you have provided training before, what disciplines of staff have you trained to provide competency restoration services? Are there prerequisite skills, background, or education for staff to attend?
3. **Pricing.** How would you price this educational program? Please provide a detailed breakdown of estimates regarding the cost of material development, educator staff time, and any other relevant price categories for your service.
4. **Ongoing technical assistance.** How would your service ensure adherence to the model? Would you propose periodic post-implementation evaluations and support for DMH staff?

GENERAL RFI INFORMATION AND HOW TO SUBMIT RESPONSES

QUESTIONS CONCERNING THE RFI

There is an opportunity for individuals and entities to ask written questions about this RFI. Questions must be submitted through the Bid Q&A section found in COMMBUYS. DMH will respond to questions as appropriate using the Bid's Q&A section on COMMBUYS.

Locating Bid Q&A: Log into COMMBUYS, locate the Bid, acknowledge receipt of the Bid, and scroll down to the bottom of the Bid Header page. The "Bid Q&A" button allows Bidders access to the Bid Q&A page.

Questions must be submitted to COMMBUYS by Friday, July 10, 2026, by 3:00 pm to be considered for a response. To reduce the number of redundant or duplicate questions, respondents are asked to review all questions previously submitted to determine whether their question has already been posted. It is estimated that DMH's responses to questions will be posted on COMMBUYS by DMH on Friday, July 17, 2026, by 3:00 pm.

Those submitting questions are responsible for entering content suitable for public viewing, since all the questions are accessible to the public. Information that is personal, security sensitive, inflammatory, incorrect, collusive, or otherwise objectionable should not be included in any question. DMH reserves the right to edit or delete any submitted questions that raise any of these issues or that are not in the best interest of the Commonwealth or this Bid.

RESPONSE DUE DATE

Responses to this RFI are due no later than Friday, July 24, 2026, by 3:00 pm. A response must be submitted through COMMBUYS and be in the format submitted described in this document

RESPONSE INSTRUCTIONS

Individuals or Entities are invited to respond to any or all the Requests for Information set forth in this RFI; however, the response shall not exceed five pages.

- At the beginning of the response, please indicate:
- Title of RFI: Competency Restoration RFI.
- Name of individual or entity submitting the response.
- Business affiliation (if any).
- A contact name, phone number, and email. (DMH may contact a respondent for clarification purposes.)

COSTS

Any cost incurred in responding to this RFI or in support of activities associated with this RFI is the sole responsibility of respondents. DMH shall not be held responsible for any costs incurred by respondents in preparing their respective responses to this RFI.

REVIEW RIGHTS

Responses to this RFI may be reviewed and evaluated by any person(s) at the discretion of DMH, including independent consultants retained by the Department now or in the future.

PUBLIC RECORD

All responses to this RFI will be public record under the Commonwealth's Public Records Law, Mass. Gen. L. c. 66, §10, regardless of confidentiality notices set forth on such writings to the contrary.

PRIMARY CONTACT

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