

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-ONE

—  
H.P. 264 - L.D. 366

**An Act Regarding Emergency Guardianship**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 18-C MRSA §5-312, sub-§1, ¶A,** as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

A. Appointment of an emergency guardian is likely to prevent substantial harm to the adult's physical health, safety or welfare;

For purposes of this paragraph, the delay of discharge of a patient in a hospital until the appointment of a guardian constitutes substantial harm;

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Office of Aging and Disability Services Adult Protective Services Z040**

Initiative: Provides funding to the Department of Health and Human Services for additional emergency guardianship filings.

<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
All Other	\$9,000	\$9,000
<b>GENERAL FUND TOTAL</b>	<b>\$9,000</b>	<b>\$9,000</b>