



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 803

H.P. 591

House of Representatives, February 12, 2019

An Act To Create 4 Regional Mental Health Receiving Centers

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WARREN of Hallowell.
Cosponsored by Senator BELLOWS of Kennebec and
Representatives: BEEBE-CENTER of Rockland, DUNPHY of Old Town, GRAMLICH of Old
Orchard Beach, HARNETT of Gardiner, PERRY of Calais, RECKITT of South Portland,
SHARPE of Durham, TALBOT ROSS of Portland.

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

2 **Sec. 1. 34-B MRSA c. 3, sub-c. 3, art. 3** is enacted to read:

3 **ARTICLE 3**

4 **CRISIS INTERVENTION CENTERS**

5 **§3631. Definitions**

6 As used in this article, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Behavioral health professional.** "Behavioral health professional" means a
9 physician licensed under Title 32, chapter 36 or 48; a physician assistant licensed under
10 Title 32, chapter 36 or 48; a psychologist licensed under Title 32, chapter 56; a
11 psychiatrist licensed under Title 32, chapter 36 or 48; a licensed clinical social worker
12 licensed under Title 32, chapter 83; a licensed clinical professional counselor licensed
13 under Title 32, chapter 119; or other mental health professional with training and
14 experience in assessment of and intervention with persons with mental illness, substance
15 use disorder or co-occurring disorder who the department has determined qualified to
16 staff a crisis intervention center established under this article.

17 **2. Certified intentional peer support specialist.** "Certified intentional peer support
18 specialist" means a person who has been certified as an intentional peer support specialist
19 by the department in accordance with rules adopted under this article.

20 **3. Law enforcement officer.** "Law enforcement officer" has the same meaning as in
21 Title 17-A, section 2, subsection 17.

22 **4. Person with co-occurring disorder.** "Person with co-occurring disorder" means
23 a person with substance use disorder and mental illness.

24 **5. Person with mental illness.** "Person with mental illness" means a person who
25 has a diagnosis of a mental illness as defined in Title 32, section 3811-A, subsection 2.

26 **6. Person with substance use disorder.** "Person with substance use disorder" has
27 the same meaning as in Title 5, section 20003, subsection 17-A.

28 **7. Treatment.** "Treatment" means the broad range of emergency, outpatient,
29 intermediate and inpatient services and care, including career counseling, diagnostic
30 evaluation, employment, health, medical, psychiatric, psychological, recreational,
31 rehabilitative, social service care, treatment and vocational services, that may be extended
32 to a person with substance use disorder, mental illness or co-occurring disorder.

1 **§3632. Crisis intervention centers established**

2 The commissioner shall operate and maintain 4 crisis intervention centers to provide
3 crisis intervention and psychiatric emergency services to persons with substance use
4 disorder, mental illness or co-occurring disorder who are in crisis.

5 **§3633. Director of crisis intervention center**

6 The commissioner shall appoint a director for each crisis intervention center
7 established in section 3632 who must be a behavioral health professional and have at least
8 a master's degree in a relevant discipline.

9 **§3634. Services provided by a crisis intervention center**

10 A crisis intervention center established in section 3632:

11 **1. Facility.** Shall provide crisis intervention and psychiatric emergency services
12 based in a facility that provides treatment 24 hours a day, 7 days a week to persons with
13 substance use disorder, mental illness or co-occurring disorder who are in crisis;

14 **2. Staffing.** Must be staffed with sufficient behavioral health professionals and
15 certified intentional peer support specialists to serve the admitted persons under
16 subsection 3; and

17 **3. Admission.** Shall admit:

18 A. On an informal, voluntary basis for care and treatment, any person desiring
19 admission or the adult ward of a legally appointed guardian;

20 B. A person committed involuntarily to the crisis intervention center by the State;
21 and

22 C. A person transported to the crisis intervention center by a law enforcement officer
23 whose jurisdiction includes the center.

24 **§3635. Rules**

25 The department shall adopt rules necessary to implement this article, which must
26 include, at a minimum, certification requirements for the crisis intervention centers
27 established in section 3632 and intentional peer support specialists; the location of the 4
28 crisis intervention centers to ensure regional accessibility throughout the State; admission
29 and discharge standards for the crisis intervention centers; requirements for notice of a
30 person's admission; availability of and patients' access to treatment; the staffing model for
31 the crisis intervention centers, with specific descriptions of staffing levels, roles and
32 responsibilities; and patient rights protections. To the extent possible, the rules must be
33 consistent with chapter 1, subchapter 8; chapter 3, subchapter 4; and Title 5, chapter 511.
34 Rules adopted pursuant to this section are routine technical rules as defined in Title 5,
35 chapter 375, subchapter 2-A.

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SUMMARY

2 This bill establishes 4 crisis intervention centers regionally throughout the State that
3 will be operated and maintained by the Department of Health and Human Services. It
4 requires the crisis intervention centers to provide treatment 24 hours a day, 7 days a week
5 and to provide sufficient staffing. It provides that the Department of Health and Human
6 Services must adopt rules that include the certification of the crisis intervention centers;
7 the location of the crisis intervention centers to ensure regional accessibility throughout
8 the State; admission and discharge standards; requirements for notice of a person's
9 admission; availability of and patients' access to treatment; the staffing model, with
10 specific descriptions of staffing levels, roles and responsibilities; and patient rights
11 protections; and that, to the extent possible, the rules must be consistent with the Maine
12 Revised Statutes, Title 5, chapter 511; Title 34-B, chapter 1, subchapter 8; and Title 34-B,
13 chapter 3, subchapter 4.