

STATE OF MAINE

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

—  
H.P. 636 - L.D. 868

**An Act To Provide Consistency Regarding Persons Authorized To Conduct  
Examinations for Emergency Involuntary Commitment and Post-admission  
Examinations**

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

**Sec. 1. 34-B MRSA §3863, sub-§7**, as amended by PL 2009, c. 651, §18, is further amended to read:

**7. Post-admission examination.** Every patient admitted to a psychiatric hospital under this section must be examined as soon as practicable after the patient's admission. If findings required for admission under subsection 2 are not certified in a 2nd opinion by a staff ~~physician or licensed clinical psychologist~~ medical practitioner within 24 hours after admission, the person must be immediately discharged.

**Sec. 2. 34-B MRSA §3863, sub-§7-A**, as enacted by PL 2015, c. 309, §5, is amended to read:

**7-A. Post-admission discharge.** If it is necessary to discharge a person because findings required for admission under subsection 2 are not certified in a 2nd opinion by a staff ~~physician or licensed clinical psychologist~~ medical practitioner after examination in accordance with subsection 7, the staff ~~physician or licensed clinical psychologist~~ medical practitioner shall record the discharge on the written application, which must contain a statement that the findings required for the person's admission specified under subsection 2 were not met.

**Sec. 3. 34-B MRSA §3864, sub-§1, ¶C**, as amended by PL 2009, c. 651, §20, is further amended to read:

C. The certificate of the ~~physician or psychologist~~ medical practitioner under section 3863, subsection 7;