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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
130TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 795, L.D. 1080, “Resolve, Directing the Department of Health and Human Services To Update the Rights of Recipients of Mental Health Services”

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Department of Health and Human Services to update the rights of recipients of mental health services. Resolved: That, by July 1, 2025, the Department of Health and Human Services shall by rule update the rights of recipients of mental health services pursuant to the Maine Revised Statutes, Title 34-B, sections 3003 and 15002. Notwithstanding the rule-making requirements of Title 34-B, section 3003, subsection 4 and section 15002, subsection 7, rules adopted pursuant to this resolve are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

The Department of Health and Human Services shall comply with the following requirements prior to adopting the updates to the rules as required by this section:

- 1. By September 1, 2022, the department shall submit to the Joint Standing Committee on Health and Human Services a work plan for developing and promulgating these rule changes and ensuring stakeholder engagement prior to the drafting of the rule changes. Stakeholders must include, but are not limited to, consumers of mental health services, advocates for consumers of mental health services, providers of mental health services and health care systems in the State.
- 2. Beginning January 1, 2023 and every 6 months thereafter until provisional rule changes are adopted under this section, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its progress toward compliance with this resolve.'

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

COMMITTEE AMENDMENT

SUMMARY

This amendment does the following.

1. It changes the deadline for updating by rule the rights of recipients of mental health services from January 1, 2022 to July 1, 2025.

2. It replaces the language requiring the rules to align with contractual agreements with service providers, current federal and state privacy laws and best practices for the delivery of clinically appropriate assessment and treatment models for persons with mental illness and to reflect current titles, names and language, best practice treatment models, updated grievance processes, current methods and modes of communication and current mental health services delivery structure with language requiring the Department of Health and Human Services to submit to the Joint Standing Committee on Health and Human Services a work plan for developing and promulgating these rule changes and ensuring stakeholder engagement prior to the drafting of the rule changes.

3. It provides that, for the purpose of ensuring stakeholder engagement, stakeholders include, but are not limited to, consumers of mental health services, advocates for consumers of mental health services, providers of mental health services and health care systems in the State.

4. It requires that, beginning January 1, 2023 and every 6 months thereafter until provisional rule changes are adopted, the department report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on its progress toward compliance with this resolve.

FISCAL NOTE REQUIRED

(See attached)