POSITION STATEMENT IN SUPPORT

LD 785: An Act To Change the Standard for Assessing Risk of Serious Harm
Presented to Maine’s Joint Standing Committee on Health and Human Services

As the state’s largest grassroots mental health advocacy organization, NAMI Maine supports the passage of An Act to Change the Standard for Assessing Risk of Serious Harm. NAMI was founded by a group of mothers with adult children who had been diagnosed with a severe and persistent mental illness. As such, NAMI Maine works hard to empower the 1 in 4 Mainers who live with a mental health challenge and their family members. With the core mission and values of NAMI Maine, we support the passage of this legislation, however with considerations in order to ensure that there are clear guidelines and definitions in place.

Throughout many years working within crisis services across the state, the guidelines that are currently in place have allowed for individuals who are potentially at risk of harm to themselves or others to fall through the cracks, at times resulting in catastrophic and heartbreaking results. However, it is also imperative that any alterations in the standard for assessing risk of serious harm ensure against the risk of previous unintended mistakes, which resulted in mass institutionalizations of individuals with mental health challenges. Many who have been involved in the mental health field during the last few decades have heard stories of individuals losing their rights and being placed into hospitals and intuitions. Under 34B, providers hold individual civil liberties and rights in their hands, resulting in necessary steps being taken in order to ensure that there are clear definitions and guidelines in which practitioners must follow. Critically, the individuals’ who may face hospitalization must have clear pathways in place in which they can receive a second opinion to ensure that their civil liberties are being upheld.

NAMI Maine supports ensuring that individuals who are at risk of harm to themselves or others can be kept safe in order to prevent catastrophic and dangerous situations. However, in doing so, clear guidelines and definitions should be put into place in order to ensure that all those who may be impacted have a clear process in which they are able to challenge and contests the actions if they feel it necessary. It is also imperative that there be clear guidelines and definitions to shape the excruciatingly difficult decisions that practitioners must make.

ABOUT NAMI MAINE: Incorporated in 1984, the National Alliance on Mental Illness, Maine Chapter (NAMI Maine) is the state’s largest grassroots mental health organization. With support from national and regional affiliates, the agency is dedicated to building better lives for everyone impacted by behavioral health concerns. NAMI Maine engages with leaders and community partners at all levels to improve the state’s mental health system through collaboration and education.

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POSITIONS & POLICY AGENDA
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