

Janet T. Mills  
Governor

Sara Gagné-Holmes  
Commissioner



Maine Department of Health and Human Services  
Commissioner's Office  
11 State House Station  
109 Capitol Street  
Augusta, Maine 04333-0011  
Tel.: (207) 287-3707; Fax: (207) 287-3005  
TTY: Dial 711 (Maine Relay)

## REPORT TO THE LEGISLATURE

**TO:** Joint Standing Committee on Health and Human Services  
**FROM:** Maine Department of Health and Human Services  
**DATE:** June 5, 2026  
**RE:** Work Plan Report pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services to Update the Rights of Recipients of Mental Health Services*

---








The Maine Department of Health and Human Services (DHHS) is submitting this report, pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services to Update the Rights of Recipients of Mental Health Services*. This resolve requires the Department to submit reports every six months until provisional rule changes are adopted.





### **Progress Since Last Report**

DHHS last submitted a report to the Legislature in January 2026 with an update on the progress toward implementing Resolves 2021, Ch. 132. As referenced in previous reports, the Department extensively sought input of interested parties through various channels in 2023 and 2024, including a public survey, four virtual listening sessions, and engagement with adult residential programs licensed by, funded by, or contracted with the Department throughout the state via mailed workbooks and three additional in-person listening sessions in northern, central, and southern regions.



The Rights of Recipients of Mental Health Services for adult recipients was drafted through late 2024 and submitted to the Office of the Attorney General for legal pre-review. In part due to the complexity of the rule, it remains in pre-review, with anticipated completion in late summer 2026. The Rights of Recipients of Mental Health Services Who Are Children in Need of Treatment will be submitted to the Office of the Attorney General by the end of September 2026 for legal pre-review with anticipated review completion by late 2027 or early 2028 ahead of rule proposals, provisional adoption, and subsequent submission to the Legislature for major substantive review in 2028-2029. With developments related to the DOJ Settlement Agreement, *United States v. State of Maine*, No. 1:24-cv-00315-SDN (D. Me. Dec. 20, 2024) (Order on Mot. Dismiss and Retain Jurisdiction, Ex. A, Settlement Agreement Between the United States of America and the State of Maine), contemporary challenges, and trends throughout the provision of children's and adult mental health services, the Department has been utilizing these extended drafting and review timelines to ensure appropriate changes are implemented in both rules that address current best practices, policy guidance, and potential impacts on providers and recipients alike.

## DHHS Workplan for the Rights of Recipients of Mental Health Services (Adult Rule)

Timeframe	Activity Benchmark	
September 2022	DHHS commences planning and preparation activities for rule development and stakeholder engagement	
Winter 2023	DHHS provides a workplan to the Joint Standing Committee on Health and Human Services	
March/April 2023	DHHS provides notice of and solicits input on stakeholder engagement process	
June 2023 – October 2024	DHHS rule drafting	
July 2023 – April 2024	<p>Stakeholder Engagement Activities</p> <ul style="list-style-type: none"> <li>• <i>July – August 2023 Stakeholder Survey Distributed</i> <ul style="list-style-type: none"> <li>○ <a href="#">Surveys distributed</a> to stakeholders for initial comments and feedback.                             <ul style="list-style-type: none"> <li>▪ Survey 1: <a href="#">Rights of recipients for adults</a></li> <li>▪ Survey 2: <a href="#">Rights of recipients for children</a></li> </ul> </li> <li>○ Survey results compiled</li> </ul> </li> <li>• <i>October – December 2023 Stakeholder Listening Sessions</i> <ul style="list-style-type: none"> <li>○ Stakeholder listening sessions launched with population-specific tracks. Listening sessions will include feedback and comments captured in the survey. Tracks to run concurrently.                             <ul style="list-style-type: none"> <li>○ Track 1: Two sessions hosted by the Office of Behavioral Health (OBH) for the rights of recipients who are adults</li> <li>○ Track 2: Two sessions hosted by the Office of Child and Family Services (OCFS) for the rights of recipients who are children</li> </ul> </li> </ul> </li> <li>• <i>March – April 2024 PNMI Stakeholder Listening Sessions</i> <ul style="list-style-type: none"> <li>○ Stakeholder listening sessions held at three residential PNMI locations in Bangor, Augusta, and southern Maine with virtual attendance available for all PNMI residents</li> <li>○ Workbooks for distributed to every PNMI licensed, contracted, and/or funded by the Department with self-addressed, postage-paid envelopes for completion and return</li> </ul> </li> </ul>	    

Summer 2023	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
January 2024 & Summer 2024	DHHS provides written progress reports to the Joint Standing Committee on Health and Human Services	
November 2024 – Summer 2027	OAG Pre-review of proposed rule drafts; DHHS final revisions to proposed rule drafts; Commissioner review of proposed rule drafts	In process
January 2025 & Summer 2025	DHHS provides written progress reports to the Joint Standing Committee on Health and Human Services	
January 2026 & Summer 2026	DHHS provides written progress reports to the Joint Standing Committee on Health and Human Services	
January 2027	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
Summer 2027	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
Summer 2027 – Fall 2027	DHHS proposes major substantive rules in spring 2027; noticing; public hearings, comment periods and final reviews by OAG	
Fall 2027	Commissioner provisionally adopts major substantive rules	
January 2028	DHHS submits provisionally adopted rules to Legislature for major substantive review with final adoption in summer 2028	



January 2025 & Summer 2025	DHHS provides written progress reports to the Joint Standing Committee on Health and Human Services	
January 2026 & Summer 2026	DHHS provides written progress reports to the Joint Standing Committee on Health and Human Services	
Fall 2026 – Spring 2028	OAG Pre-review of proposed rule drafts; DHHS final revisions to proposed rule drafts; Commissioner review of proposed rule drafts	
January 2027	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
Summer 2027	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
January 2028	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
Summer 2028	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
Summer 2028 – December 2028	DHHS proposes major substantive rules in or around Summer 2027; noticing; public hearings, comment periods, and final reviews by OAG	
December 2028	Commissioner provisionally adopts major substantive rules	
January 2029	DHHS submits provisionally adopted rules to Legislature for major substantive review with final adoption in summer 2029	