

Agency Name: Department of Health and Human Services, Office of Aging and Disability Services

Umbrella-Unit: 14-197

Chapter Number/Title: Office of Aging and Disability Services Policy Manual, Chapter 6, Crisis Prevention and Intervention Services

Statutory Authority: 22 M.R.S. §§ 42(1), 3089(3); 34-B M.R.S. § 5206(8)

Provisionally Adopted: December 22, 2020

Summary:

This rule describes the Department’s crisis services for persons with intellectual disabilities or Autism Spectrum Disorder authorized by 34-B M.R.S. § 5206. P.L. 2019, ch. 290, § 1 directed the Department to adopt major substantive rules to implement § 5206. The proposed rule also describes crisis services available to persons with acquired brain injuries pursuant to 22 M.R.S. § 3088. The Department’s crisis services support and promote the safety and well-being of adults with intellectual disabilities, acquired brain injuries, or Autism Spectrum Disorder who are in crisis, when such personal crises could lead to the loss of the home, program, or employment. The Department maintains a statewide system to provide respite for planned and unplanned interruptions in the care of persons with intellectual disabilities or Autism Spectrum Disorder.

Basis Statement:

The Maine Legislature, pursuant to P.L. 2019, ch. 290, § 1, directed the Department of Health and Human Services to adopt rules to implement 34-B M.R.S. § 5206 – Crisis and Respite Services, and designated such rules as major substantive rules. In order to comply with the Legislature’s mandate, the Department provisionally adopted this Crisis Prevention and Intervention Services (CPIS) rule to provide guidance on the Department’s crisis services for persons with intellectual disabilities or Autism Spectrum Disorder authorized by 34-B M.R.S. § 5206. This rule also describes crisis services available to persons with acquired brain injuries pursuant to 22 M.R.S. § 3088. The Department’s crisis services support and promote the safety and well-being of adults with intellectual disabilities, acquired brain injuries, or Autism Spectrum Disorder who are in crisis, when such personal crises could lead to the loss of the home, program, or employment. CPIS shall be offered in the person’s home, program, or workplace when feasible unless otherwise provided in the person’s service plan or CPIS in the home have proved to be unsuccessful. Out-of-home CPIS may be available in Residential Stabilization Units maintained by or on behalf of the Department. To deploy CPIS to persons in crisis, the Department shall provide intake services, crisis case management services, crisis stabilization units and emergency transitional housing, and post-crisis services. The Department will offer training on CPIS, maintain data, and undertake de-identified reporting for planning and budgeting purposes. The Department will also maintain a statewide respite system for planned and unplanned respite in the case of persons with intellectual disabilities or Autism Spectrum Disorder and their families.

OADS drafted this rule utilizing the following resources: existing crisis services for persons with intellectual disabilities, acquired brain injuries, or Autism Spectrum Disorder who are in crisis;

stakeholder input; the Department's knowledge of and experience with administering crisis services; and the administration's guidance and vision for crisis services for these populations.

The Department held a virtual public hearing on October 14, 2020. No comments were submitted during the comment period or during the public hearing.

This CPIS rule will become effective only if approved by the Legislature and adopted finally by the Department pursuant to 5 M.R.S. § 8072(1).

Fiscal Impact of Rule:

The Department does not anticipate a fiscal impact from this rulemaking.