

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Resolve, To Assist Families with Substance Abuse Issues

Sec. 1 Involuntary treatment of adults with substance abuse treatment needs.

Resolved: That the Department of Health and Human Services, Office of Substance Abuse shall develop a plan for a parent-initiated process of involuntary treatment for adults with addiction and substance abuse treatment needs; and be it further

Sec. 2 Plan. Resolved: That, in developing the plan, the Department of Health and Human Services, Office of Substance Abuse shall evaluate options for the process of involuntary treatment and consider the following elements:

1. A court-ordered process that may be initiated only by a parent of the adult for whom substance abuse treatment is being sought;
2. A process that includes an examination by a qualified medical professional for the person for whom treatment is being sought to ascertain the extent of substance use, abuse or addiction and to certify the need for involuntary treatment;
3. Custody, transportation, responsibility for payment and emergency procedures related to the involuntary treatment as well as provisions for discharge planning for inpatient treatment and plans for continuity of care;
4. Provisions to protect the rights of the person subject to the involuntary treatment process; and
5. Guidelines governing the court order, including the review and duration of the order, as well as guidelines for the court hearing and appeals process; and be it further

Sec. 3 Report recommendations. Resolved: That the Department of Health and Human Services, Office of Substance Abuse shall present the plan and recommendations, including any necessary legislation, to the Joint Standing Committee on Health and Human Services by January 1, 2010. The joint standing committee is authorized to submit a bill to the Second Regular Session of the 124th Legislature.

SUMMARY

This resolve requires the Department of Health and Human Services, Office of Substance Abuse to develop a plan and recommendations, including any necessary legislation, for a parent-initiated process of involuntary treatment for adults with addiction and substance abuse treatment needs. It requires the office to submit the plan and legislation to the Joint Standing Committee on Health and Human Services by January 1, 2010 and authorizes the joint standing committee to submit a bill to the Second Regular Session of the 124th Legislature.