1	L.D. 232
2	Date: (Filing No. H-)
3	HEALTH AND HUMAN SERVICES
4	Reproduced and distributed under the direction of the Clerk of the House.
5	STATE OF MAINE
6	HOUSE OF REPRESENTATIVES
7	129TH LEGISLATURE
8	SECOND REGULAR SESSION
9 10 11	COMMITTEE AMENDMENT " " to H.P. 195, L.D. 232, Bill, "An Act To Change the Process by Which Designated Nonstate Mental Health Institutions Petition the District Court To Admit Certain Patients to a Progressive Treatment Program"
12	Amend the bill by striking out the title and substituting the following:
13 14 15 16	'Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment'
17	Amend the bill by striking out everything after the title and inserting the following:
18 19	'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and
20 21 22	Whereas, the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered treatment in the community are inconsistent; and
23 24 25	Whereas, the inconsistency is preventing access to timely treatment for individuals in crisis, and a more streamlined process could reduce the consequences of delayed treatment or lack of treatment; and
26 27 28 29	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it
30 31 32 33 34 35	Sec. 1. Department of Health and Human Services to convene stakeholder group to review the progressive treatment program and processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment. Resolved: That the Commissioner of Health and Human Services shall convene a stakeholder group to accomplish the following:

- 1. Review of the progressive treatment program. Review the feasibility of and barriers to nonstate mental health institutions' participating in a progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A and develop recommendations to increase the use of a progressive treatment program by nonstate mental health institutions; and
- 2. Review processes for consistency and efficiency. Review for consistency and efficiency the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3 and develop recommendations to make the processes more effective and easier to administer in order to reduce the consequences of delayed treatment or lack of treatment. The review must include a review of how the processes are working, the consistency of requirements and implementation of the processes, who is responsible for initiating the processes and who is responsible for payment for representation of the psychiatric hospitals in those processes.
- **Sec. 2. Membership of the stakeholder group. Resolved:** That the stakeholder group under section 1 must include at least one representative from each of the following organizations: the Office of the Attorney General, Riverview Psychiatric Center, Northern Light Acadia Hospital, Spring Harbor Hospital, the Maine Hospital Association and Alliance for Addiction and Mental Health Services, Maine. The stakeholder group must also include at least one person who is or has been a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3 or a family member of the person. The Commissioner of Health and Human Services shall invite the participation of at least one representative of the Judicial Department.
- **Sec. 3. Report. Resolved:** That the Commissioner of Health and Human Services shall present the findings and recommendations of the stakeholder group based on the reviews pursuant to section 1 to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than December 1, 2020. The committee may report out legislation to the First Regular Session of the 130th Legislature related to the recommendations of the report.
- **Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.'
- Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

35 SUMMARY

This amendment, which is the unanimous report of the committee, replaces the bill with a resolve. It adds an emergency preamble and emergency clause. It directs the Commissioner of Health and Human Services to convene a stakeholder group of interested parties to review the progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A to increase participation of nonstate mental health institutions in that program and to review for efficiency and effectiveness the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to Title 34-B, chapter 3, subchapter 4,

COMMITTEE AMENDMENT " to H.P. 195, L.D. 232

1	article 3. The commissioner is directed to submit a report with recommendations to the
2	joint standing committee of the Legislature having jurisdiction over health and human
3	services matters no later than December 1, 2020. The committee may report out
4	legislation to the First Regular Session of the 130th Legislature related to the
5	recommendations of the report.

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