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4/28/2025

Senator Beebe-Center, Chair
Representative Hasenfus, Chair
Members, Joint Standing Committee on Criminal Justice and Public Safety
100 State House Station
Augusta, ME 04333-0100

Re: LD 1000 – *An Act to Require Correctional Facilities and Substance Use Disorder Treatment Facilities to Release Prisoners and Patients to a Responsible Adult*

Senator Beebe-Center, Representative Hasenfus and members of the Joint Standing Committee on Criminal Justice and Public Safety, thank you for the opportunity to provide information in opposition to LD 1000, *An Act to Require Correctional Facilities and Substance Use Disorder Treatment Facilities to Release Prisoners and Patients to a Responsible Adult*.

There are currently discharge requirements for Substance Use Disorder Treatment Facilities set by the Division of Licensing and Certification through rule, but it's important to note that these do not stipulate anything regarding discharging an adult to another responsible adult. Clients in these settings generally have decision-making capacity, and as such would have the right to participate in the discharge planning process and in making discharge decisions. As written, this bill may also create undue burdens for providers, and possible client confidentiality concerns as it requires facilities to evaluate and determine if the person to whom the client is being discharged is competent, qualified and has available client support systems to support the discharged persons "adjustment to discharge from the treatment program."

Clients of these programs have the right to decide their social contacts and support systems, Therefore DLC opposes this bill as written. A better option might be to enhance the discharge planning requirements for these facilities to emphasize the importance of the development of support systems during the treatment and discharge planning process. It's also important to remember that clients who are not under guardianship or not cognitively impaired have the right to discharge themselves at any time. DLC can offer guidance regarding alternative requirements to enhance the safety of client discharges for the settings under the regulatory authority of DHHS at your Work Session.

Please feel free to contact me if you have any questions during your deliberation of this bill.

Sincerely,

A handwritten signature in black ink that reads "Bill Montejo".

Bill Montejo, Director
Division of Licensing and Certification
Maine Department of Health and Human Services