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Testimony of the Office of Behavioral Health
Maine Department of Health and Human Services

Before the Joint Standing Committee on Health and Human Services

In support of LD 1989, *An Act to Increase Access to the Progressive Treatment Program Fund*

Sponsor: Senator Moore
Hearing Date: 1/14/2026

Senator Ingwersen, Representative Meyer, and members of the Joint Standing Committee on Health and Human Services. My name is Debra Poulin, and I serve as the Clinical Director of the Office of Behavioral Health (OBH) in the Maine Department of Health and Human Services and I am here today to testify in support of LD 1989, *An Act to Increase Access to the Progressive Treatment Program Fund*.

The Progressive Treatment Program (PTP) is a court-ordered outpatient program for individuals with serious mental illness who pose a likelihood of serious harm to themselves or others and are unlikely to follow a treatment plan voluntarily. Although court ordered, individuals offered PTP plans have the benefit of a suitable individualized treatment plan supported by licensed and qualified community providers. Adherence to these plans protects individuals from interruptions in treatment, relapse, or deterioration of mental health, while enabling them to live more safely in a community setting by ensuring consistent and structured mental health treatment. For a PTP plan to be initiated or renewed, an application must be submitted on behalf of the individual to the District Court, where it is then reviewed and scheduled for hearing. As the applications are inherently a legal process, representation by counsel is most often required. The statute currently only provides for reimbursement of legal fees to private entities up to \$800, and only for the initiation of PTP plans.

The intent of this bill is to ensure that providers and other entities can effectively access and utilize the Progressive Treatment Program Fund (Fund) dollars. The Office of Behavioral Health has received feedback from several providers and other entities that the current statutory language lacks clarity regarding the renewal of PTPs, but also that the current funding limit of \$800 imposes additional challenges for smaller providers in particular who generally need to retain external counsel with hourly rates that often exceed the maximum reimbursement. The proposed amendments to the current statute exclusively serve to address the aforementioned confusion and provide greater flexibility in utilizing available Fund resources for initiations *and* renewals of PTP plans.

By allowing the Fund to be utilized for both initiations and renewals alike, and adjusting the maximum reimbursement in statute to allow opportunities for additional funding pursuant to set criteria, this bill serves to address challenges for both mental health providers and individuals

seeking to utilize or who may benefit from the PTP. When used effectively, it can prevent unnecessary hospitalization and justice system involvement, and ensure individuals with serious mental illness can receive the treatment necessary to foster their independence and longer-term success in less restrictive community settings. These minor changes to the statute seek to address inconsistent access and application of the PTP and reduce confusion by providers submitting applications on behalf of eligible individuals. It also serves to improve renewal rates, as appropriate, by allowing providers to seek reimbursement beyond the initiation as provided in current statute.

In conclusion, these simple language adjustments have the potential for substantial impact toward successfully improving the utilization of PTP in Maine, where appropriate, and allowing those with serious mental illness who may need more structured plans to receive treatment in the least restrictive appropriate setting, while also providing support to mental health providers involved in the process.

Thank you for your time and attention. I would be happy to answer any questions you may have and to make myself available for questions at the work session.