

## LD 512

- *Similar bill, LD 414 (129th) + amended version*
  - *Unanimous OTP-A*
  - *Died on adjournment*

### **An Act To Provide Intensive Case Managers to Counties That Do Not Have County Jails or Regional Jails**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-B MRSA §1227 is enacted to read:

#### **§ 1227. Intensive case manager**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Condition" means an intellectual disability, a mental health condition or substance misuse, at any level, as determined by a qualified mental health professional.

B. "Diversion plan" means a plan to reduce or eliminate the time a person with a condition is incarcerated or detained by a law enforcement officer by redirecting the person from the criminal justice system to community-based treatment and support.

C. "Intensive case manager" means a person who coordinates and oversees mental health support and services for persons with a condition who are incarcerated in a county or regional jail or detained by a law enforcement officer.

**2. Assignment to counties.** The department shall assign at least one intensive case manager to work in each county. An intensive case manager must be based in a county or regional jail or, in the absence of a county or regional jail, in the county sheriff's office.

**3. Intensive case manager duties.** The duties of intensive case managers include but are not limited to:

A. Overseeing all persons detained by a law enforcement officer who are evaluated for a condition, including:

(1) Connecting a person with a condition to services provided at the county or regional jail;

(2) Developing and implementing a reentry-focused treatment plan for a person with a condition to be implemented upon the person's release and ensuring adequate monitoring of the person's compliance with the treatment plan for at least 60 days after the person reenters the community; and

**Provided by OPLA**

(3) For a person with a condition who is incarcerated for a Class D or Class E crime or is otherwise detained by a law enforcement officer, developing a diversion plan;

B. Identifying any person with a condition detained by a law enforcement officer who may be eligible for services through the MaineCare program, completing an application for MaineCare coverage with that person and confirming activation of MaineCare benefits or the continuation of MaineCare benefits pursuant to Title 22, section 3174-CC prior to that person's release from the county or regional jail and during the implementation of any diversion plan or reentry-focused treatment plan; and

C. Working with the court system to ensure that all persons detained by a law enforcement officer who are identified as having a condition are provided due process and a speedy trial.

**Sec. 2. Department of Health and Human Services to increase the number of the State's intensive case manager positions.** The Department of Health and Human Services shall increase the number of intensive case manager positions from the 15 currently serving county jails and regional jails to meet the requirements of the Maine Revised Statutes, Title 34-B, section 1227.

## SUMMARY

This bill directs the Department of Health and Human Services to create additional intensive case manager positions so that counties that do not have a county jail or regional jail will have an intensive case manager. An intensive case manager oversees persons who are detained by a law enforcement officer and who have intellectual disabilities or mental health conditions or have misused substances and connects them to the services for which they qualify, works with the court system to ensure that they receive due process and speedy trials and assists persons who qualify for the MaineCare program to apply for and receive MaineCare benefits and services while being detained or incarcerated, including during the implementation of diversion and reentry plans.

**Provided by OPLA**

Amend the bill by striking out the title and substituting the following:

**'An Act To Increase the Number of Intensive Case Managers'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. Appropriations and allocations.** The following appropriations and allocations are made.

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Mental Health Services - Community Z198**

Initiative: Provides funding for 4 Intensive Case Manager positions in the Department of Health and Human Services.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$318,232	\$329,418
All Other	\$25,590	\$25,590
<b>GENERAL FUND TOTAL</b>	<b>\$343,822</b>	<b>\$355,008</b>

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Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment, which is the unanimous report of the committee, replaces the bill. It provides funding for 4 additional Intensive Case Manager positions in the Department of Health and Human Services.

**FISCAL NOTE REQUIRED**

(See [link](#))