



**Northern Light
Health**

**LD 1385 An Act To Provide for Timely Placement with Respect to Violent Patients in
Hospital Emergency Rooms**

Testimony in Qualified Support

April 13, 2021

Senator Claxton, Representative Meyer and members of the Health and Human Services Committee, my name is Lisa Harvey-McPherson RN, I am here today providing testimony on behalf of Northern Light Health and our member organizations to speak in support of this bill. Northern Light Health member organizations include 10 hospitals located in southern, central, eastern and northern Maine, 8 nursing facilities, air and ground ambulance, behavioral health, addiction treatment, pharmacy, primary and specialty care practices and a state-wide home care and hospice program. Ninety three percent of Maine's population lives in the Northern Light Health service area. Northern Light Health is also proud to be one of Maine's largest employers with over 12,000 employees statewide.

I want to thank Representative Dodge for sponsoring this important bill. This bill addresses the issue of hospital emergency room challenges when discharging violent patients from our care. In general, violent patients are transferred to a local hospital emergency room from a facility that cannot manage the violent behavior. We understand that violent behaviors can represent risk of harm to the patient and staff transferring the patient, our support of this bill is focused on the discharge needs of the patient from our emergency departments.

Unfortunately, we experience significant delays in discharge once the patient is stabilized and is clinically and behaviorally appropriate for discharge back to the originating facility. The facility often refuses discharge back to their care stating that they can not manage the violent behaviors. Despite implementing treatment plans that have stabilized the behaviors, the facility simply says no. Some facilities swiftly implement discharge of the patient upon transfer to the emergency room stating that the patient is no longer a resident at their facility. These patients become stuck in the emergency room for days and weeks as the staff try to find another facility to accept the patient in care.

This bill seeks to engage the Department of Health and Human Services in assisting these patients and emergency departments to timely discharge patients back to a community setting. We are in full support of this goal and offer the following recommendations to the text of the bill

1. Discharge after treatment. This section could be interpreted to require the emergency department to discharge once the patient is stable irrespective of a

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Eastern Maine Medical Center
Home Care & Hospice
Inland Hospital
Maine Coast Hospital
Mercy Hospital
Northern Light Health Foundation
Sebasticook Valley Hospital

safe discharge plan. We recommend that the following be added to this section.

This section does not require the health care facility to immediately discharge the patient if there is no appropriate placement for the patient, a safe discharge cannot otherwise be effectuated at that time, or if discharge would cause the health care facility to violate any of its State or Federal regulatory or statutory obligations

2. D. Duties of the Department. This section requires a residential facility to take the person back once the person is cleared for discharge and no longer needing medical care. We recommend that “residential” be removed from this section, so all facilities need to meet this standard. We understand that there are circumstances when the facility cannot accept the patient back into care. This should be a rare exception not the general experience we encounter today. To achieve this goal, we recommend that this section of the bill be amended to state that the Department must approve any denial of readmission back to the facility. **From our perspective engaging the department to approve denial of readmission back to a facility is the most important aspect of this bill.**

F. Costs of Security in the Emergency Department – From our perspective this bill is focused on successful and timely discharge of violent patients from hospital emergency rooms. Achieving this negates the need for an enhanced rate. We are fine with removing this section from the bill.

Thank you for the opportunity to speak in support of this important bill.