OFFICE OF POLICY AND LEGAL ANALYSIS

Date: March 13, 2021
To: Joint Standing Committee on Health & Human Services
From: Erin Dooling, Esq., Legislative Analyst

LD 869 Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Process by Which a Person May be Involuntary Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment

SUMMARY: This resolve is emergency legislation. It directs the Commissioner of DHHS to convene a stakeholder group of interested parties to:

(1) Review the progressive treatment program under the Title 34-B, section 3873-A to increase participation of nonstate mental health institutions in that program; and

(2) 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, article 3.

Membership in the stakeholder group includes the AG's office, RPC, Northern Light Acadia Hospital, Spring Harbor Hospital, Maine Hospital Association and the Alliance for Addiction and Mental Health, an individual who has been a patient or a family member of the person, the Judicial branch.

The commissioner is directed to submit a report with recommendations to the Joint Standing Committee on Health and Human Services no later than December 1, 2021. The committee may report out legislation to the Second Regular Session of the 130th Legislature related to the recommendations of the report.

SUGGESTED AMENDMENTS FROM TESTIMONY:

- Amend the membership of the stakeholder group to include:
    - An individual who has been a patient
    - A family member of the person
    - Advocates for patient's rights, such as DRM
    - Advocates for family concerns
    - Consumer Council System of Maine
    - PNMI providers, ACT teams and other community providers who administer PTPs, including psychiatrists and psychiatric nurse practitioners

FISCAL IMPACT: Not yet determined