



HOUSE OF REPRESENTATIVES

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Testimony of Rep. Anne Perry Introducing LD 869, *Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment*

May 3, 2021

Senator Claxton, Representative Meyer, and colleagues on the Health and Human Services Committee, I am Representative Anne Perry and I represent nine communities in Washington County. I am here to introduce LD 869, *Resolve, Directing the Department of Health and Human Services To Review the Progressive Treatment Program and Processes by Which a Person May Be Involuntarily Admitted to a Psychiatric Hospital or Receive Court-ordered Community Treatment*.

LD 869 directs the Department to convene a stakeholder group to review the Progressive Treatment Program (PTP), as well as the processes by which a person may be involuntarily admitted to a psychiatric hospital.

This legislation received unanimous support last session – and it was very clear in the hearing that PTPs, also known as court-ordered outpatient treatment or “green papers,” are underutilized, and that they help keep individuals in the community and avoid unnecessary hospitalizations. And as we’ve heard this session – behavioral health patients can languish in hospital emergency departments for days and weeks at a time before receiving the appropriate care. We should be doing all that we can to ensure that people have access to care in the least restrictive setting available.

What is PTP?

PTP is a court order that essentially establishes a contract between the patient and an outpatient psychiatric treatment team. It states that the patient will agree to remain on

their medications (the most common reason for re-hospitalization and patient deterioration in psychiatric health) and to regularly meet with their therapist, psychiatrist, case manager, and generally participate in their treatment program laid out in the PTP. This is ordered by a judge during a legal proceeding, and is time limited (typically for a year).

The “teeth” to the PTP is that the patient can be re-hospitalized if they are not meeting the expectations of the PTP as determined by the outpatient psychiatric team. A judge would then be asked to issue a “Green Paper,” which would result in the hospitalization of the patient to facilitate treatment before they deteriorate to the point of becoming a danger to themselves or others.

There are a variety of reasons that PTPs are underutilized, including that the state does not represent non-state mental health institutions in the legal proceedings. This bill would allow for a comprehensive analysis and review of the barriers to issuing PTPs and an opportunity to identify solutions. I would also note that there are challenges with the processes by which a person may be involuntarily admitted to a psychiatric hospital, including the fact that access to independent examiners is limited, and the stakeholders could review that issue as well as other issues you will hear today.

Thank you for your time and consideration of this important request and I hope that you will join me in voting Ought to Pass on LD 869 – which could potentially save lives.