



# Alliance for Addiction and Mental Health Services, Maine

## *The unified voice for Maine's community behavioral health providers*

Malory Otteson Shaughnessy, Executive Director

### Testimony in Support of LD 1090

### Resolve, To Equitably Fund Legal Fees for Progressive Treatment Programs

Sponsored by Senator Claxton on May 3, 2021

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Good afternoon Senator Claxton, Representative Meyers, and esteemed members of the Joint Standing Committee on Health and Human Services. I am Malory Shaughnessy, a resident of Westbrook, and the Executive Director of the Alliance for Addiction and Mental Health Services.

On behalf of the Alliance, **I am here in support of LD 1090, To Equitably Fund Legal Fees for Progressive Treatment Programs.** Please note that this is about the “equitable funding” of seeking a Progressive Treatment Program. The Progressive Treatment Program or “PTP” is a Maine law that gives the district court the authority to order an individual to participate in a community mental health treatment plan. This law requires that any “PTP” plan include licensed and qualified community providers who are available to support the treatment plan. And please note also, that a PTP is not itself a program per se, but a court ordered PLAN of care.

This bill is NOT about altering the criteria or process that is established in Title 34-B, Section 3873-A regarding the initiation of a PTP. That remains the same. It simply provides the funding for a superintendent or chief administrative officer of a nonstate mental health institution or the director of an Assertive Community Treatment team to apply for a PTP for a client. Currently, only state hospitals are funded in applying for a court directed PTP.

Within the Alliance membership, we have all but one provider of Assertive Community Treatment, or ACT services, in the entire state of Maine, so this is a service that we discuss regularly. It can cause upwards of \$800 or more to file at the court for a PTP, and unfortunately that is a steep price for an already underfunded service. This financial disincentive hinders the use of this very important and clinically appropriate tool for those with severe and persistent mental illness, who also have a lack of awareness of their own mental health condition. An ACT team with a PTP can support someone with these conditions to remain and thrive in their own home or a residential program in their community.

This bill establishes a 2-year pilot program to provide funds to the court system to allow for more of these PTPs. Patients who would benefit can be moved into a Progressive Treatment Program with funding that would come from the Medical Use of Marijuana Fund at a cost not to exceed \$800 per evaluation and \$250,000 in total. At the end of the pilot period, an analysis could be conducted to discern if this should be an ongoing program. Did it increase the number of clients on PTPs? Did it decrease hospitalizations? Did it improve adherence to treatment plans?

And most importantly, did it help to end the unfortunate cycle we see all too often? The cycle of someone getting stabilized in treatment for their mental illness, deciding it is not needed anymore because they are “doing so well,” the decompensation that follows, then the crisis escalation again, the rehospitalization and/or incarceration, and sometimes death. It is a vicious cycle. And every time someone goes through the decompensation again, their mental illness worsens, and long term prognosis declines.

Another thing we could discover with this pilot program is how it impacts the capacity of Maine’s psychiatric hospitals to accommodate readmissions under PTPs. There have been some concerns brought forward by the department that our system of care cannot accommodate an increased number of PTPs due to the potential impact on hospitals. Is this the case, or does a well-executed PTP actually improve the potential of keeping people out of long-term hospitalizations, thereby actually lowering the pressures on psychiatric hospital beds, and lowering overall costs of mental healthcare?

**The information that could be obtained in this pilot would be very beneficial. Please support this resolve.**

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*With 35 members, the **Alliance** is the state association for Maine’s community based mental health and substance use treatment providers. The **Alliance** advocates for the implementation of sound policies and evidence-based practices that serve to enhance the quality and effectiveness of our behavioral health care system. All Mainers should have full access to the continuum of recovery-oriented systems of care for mental illness and substance use disorder – from prevention through treatment and into peer recovery support.*

