

MAINE STATE LEGISLATURE

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A of S.

L.D. 821

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HUMAN RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 611, L.D. 821, Bill, "An Act to Amend the Laws Regarding the Procedures for Emergency Admissions to a Mental Hospital"

Amend the bill by striking out all of section 1 and inserting in its place the following:

Sec. 1. 34-B MRSA §3863, sub-§2-A, as enacted by PL 1993, c. 592, §1, is amended to read:

2-A. Custody agreement. A state, county or municipal law enforcement agency may meet with representatives of those public and private health practitioners and health care facilities that are willing and qualified to perform the certifying examination required by this section in order to attempt to work out a procedure for the custody of the person who is to be examined while that person is waiting for that examination. Any agreement must be written and signed by and filed with all participating parties. In the event of failure to work out an agreement that is satisfactory to all participating parties, the procedures of section 3862 and this section continue to apply.

As part of an agreement the law enforcement officer requesting certification may transfer protective custody of the person for whom the certification is requested to another law enforcement officer or, a health officer if that officer agrees or the chief administrative officer of a public or private health practitioner or health facility or the chief administrative officer's designee. Any arrangement of this sort must be part of the written agreement between the law enforcement agency and the health care-agency practitioner or health care facility. In the event of a transfer, the law enforcement officer seeking the transfer shall provide the written application required by this section.'

COMMITTEE AMENDMENT

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STATEMENT OF FACT

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This amendment makes consistent all language regarding public and private health practitioners and health care facilities.