

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1112

S.P. 334

In Senate, February 18, 1997

An Act to Require Mental Health Hospitals to Accept into Care Former Patients Who Refuse to Take Medication.

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator BENOIT of Franklin.
Cosponsored by Representatives: HONEY of Boothbay, LOVETT of Scarborough, MARVIN of Cape Elizabeth, WINGLASS of Auburn.

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Be it enacted by the People of the State of Maine as follows:

Sec. 1. 34-B MRSA §3861, sub-§1, ¶C, as enacted by PL 1989, c. 906, is amended to read:

C. Before contracting with and approving the admission of involuntary patients to a nonstate mental health institution, the department shall require the institution to:

(1) Comply with all applicable regulations;

(2) Demonstrate the ability of the institution to comply with judicial decrees as those decrees relate to services already being provided by the institution; and

(3) Coordinate and integrate care with other community-based services; ~~and~~

(4) Transfer to a state mental health institute for admission any involuntary patient who refuses to take any medication prescribed for treatment of the patient's mental illness.

Sec. 2. 34-B MRSA §3861, sub-§2, ¶A, as enacted by PL 1983, c. 459, §7, is amended to read:

A. May receive for observation, diagnosis, care and treatment in the hospital any person whose admission is applied for under section 3831 or 3863; and

Sec. 3. 34-B MRSA §3861, sub-§2, ¶B, as amended by PL 1993, c. 336, §1, is further amended to read:

B. May receive for observation, diagnosis, care and treatment in the hospital any person whose admission is applied for under section 3864 or is ordered by a court; ~~and~~

Sec. 4. 34-B MRSA §3861, sub-§2, ¶C is enacted to read:

C. Shall, upon notification by a nonstate mental health institution of a transfer under subsection 1, paragraph C, subparagraph (4), admit the patient transferred.

SUMMARY

This bill requires the admission to a state mental health institute of an involuntarily committed patient who, while receiving care from a nonstate mental health facility, refuses to take medication prescribed for the treatment of the patient's mental illness.