

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1631

H.P. 1085

House of Representatives, April 15, 2025

**Resolve, to Implement the Recommendations of the Stakeholder
Group to Address Child Stay Times in Hospital Emergency
Departments**

Received by the Clerk of the House on April 11, 2025. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Senator MOORE of Washington and
Representatives: BRENNAN of Portland, DEBRITO of Waterville, DUCHARME of Madison,
GRAHAM of North Yarmouth, JAVNER of Chester, SHAGOURY of Hallowell, STOVER of
Boothbay, Senator: RENY of Lincoln.

1 **Sec. 1. Department of Health and Human Services to implement certain**
2 **stakeholder group recommendations; definitions. Resolved:** That the
3 Department of Health and Human Services, referred to in this resolve as "the department,"
4 shall implement, as directed by this resolve, recommendations contained within the report
5 of the stakeholder group to address the problem of children and adolescents experiencing
6 long stays in hospital emergency departments, established by Resolve 2023, chapter 134,
7 submitted to the Joint Standing Committee on Health and Human Services on January 16,
8 2025.

9 **Sec. 2. Stabilizing and expanding child and youth residential capacity.**
10 **Resolved:** That the department shall do the following to prevent additional closures and
11 encourage the reopening of beds for child and youth residential treatment:

12 1. Engage in outreach to providers of residential services, inpatient psychiatric services
13 and community-based services in this State to counsel those providers on resource needs;
14 and

15 2. Provide emergency funds to support intensive staffing levels necessary for services
16 to individuals with acute staffing needs, such as an individual who requires a 2:1 or 3:1
17 staffing ratio 24 hours a day, 7 days a week.

18 **Sec. 3. Develop internal compliance process for early and periodic**
19 **screening, diagnosis and treatment. Resolved:** That the department shall develop
20 an internal monitoring or review process designed to ensure that the department is meeting
21 its obligations to make available and maximize its use of funding for early and periodic
22 screening, diagnostic and treatment services as defined in 42 United States Code, Section
23 1396d(r) (2024).

24 **Sec. 4. Department to submit additional data reports to Legislature.**
25 **Resolved:** That the department shall submit 2 additional data reports to the Legislature
26 relating to the issue of long stays of children in hospital emergency departments and other
27 matters related to youth services. The report must include data related to:

28 1. Any occurrence of a child experiencing a stay in a hospital emergency department
29 exceeding 48 hours;

30 2. Any denials for child and youth residential services;

31 3. The number of youth in this State residing in treatment facilities for more than one
32 year;

33 4. The number of youth in out-of-state placements; and

34 5. Any closures of health care programs serving children and youth.

35 The first report is due no later than December 3, 2025. The 2nd report is due no later than
36 November 4, 2026.

37 **Sec. 5. Department to report on data and policy efforts related to**
38 **behavioral health services. Resolved:** That the department shall develop and submit
39 to the Legislature a report that includes the following:

40 1. A gap analysis that describes all of the youth beds and programs added since 2018
41 and removed since 2018;

2. Current information on waiting lists for youth programs, including the average and median wait time to access approved services;
3. An update on efforts to implement a so-called high fidelity wraparound service for children;
4. An update on the implementation of multidimensional treatment foster care services;
5. An update on efforts to bolster existing home and community treatment services, assertive community treatment and school-based services programs;
6. An update on the development of psychiatric residential treatment facility level care for children in this State;
7. An update on the certified community behavioral health clinic Medicaid demonstration; and
8. An update on the development of crisis receiving centers for children.

SUMMARY

This resolve requires the Department of Health and Human Services to implement certain recommendations made by the stakeholder group to address the problem of children and adolescents experiencing long stays in hospital emergency departments, established by Resolve 2023, chapter 134, as outlined in the stakeholder group's report to the Joint Standing Committee on Health and Human Services submitted on January 16, 2025. The department is directed to do the following:

1. Address the closure of beds for children and youth residential services by counseling service providers about resource needs and providing emergency funds to support acute staffing needs;
2. Develop an internal process to ensure that the department is meeting its obligations to make available and maximize its use of funding for early and periodic screening, diagnostic and treatment services;
3. Submit 2 additional reports to the Legislature related to the number of children experiencing long stays in hospital emergency departments and other matters related to youth services; and
4. Submit a report to the Legislature containing a gap analysis that describes all of the youth beds and programs added since 2018 and lost since 2018 and information concerning waiting lists and average time waiting for approval for youth programs. The report must also contain updates on the implementation and development of various policy efforts related to behavioral health services.