

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1799

H.P. 1204

House of Representatives, April 24, 2025

**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**

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

A handwritten signature in cursive script, reading "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative DEBRITO of Waterville.
Cosponsored by Senator MOORE of Washington and
Representatives: DAIGLE of Fort Kent, GRAHAM of North Yarmouth, JAVNER of Chester,
MCCABE of Lewiston, SHAGOURY of Hallowell, ZAGER of Portland.

1 **Sec. 1. Department of Health and Human Services to convene stakeholder**
2 **group to review progressive treatment program and processes by which a**
3 **person may be involuntarily admitted to psychiatric hospital or receive court-**
4 **ordered community treatment. Resolved:** That the Commissioner of Health and
5 Human Services shall convene a stakeholder group to accomplish the following:

6 1. Review the entire process related to a progressive treatment program under the
7 Maine Revised Statutes, Title 34-B, section 3873-A, including, but not limited to, the
8 barriers to filing applications to the District Court by a person authorized to file applications
9 under Title 34-B, section 3873-A, subsection 1 and the feasibility of enforcement
10 mechanisms when a person fails to comply with a treatment plan; and

11 2. Review for consistency and efficiency the processes by which a person may be
12 involuntarily admitted to a psychiatric hospital or receive court-ordered community
13 treatment pursuant to the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4,
14 article 3 and develop recommendations to make the processes more effective and easier to
15 administer in order to reduce the consequences of delayed treatment or lack of treatment.
16 The review must include a review of how the processes are working, the consistency of
17 requirements and implementation of the processes and who is responsible for initiating the
18 processes.

19 **Sec. 2. Membership of the stakeholder group. Resolved:** That the
20 Commissioner of Health and Human Services shall invite the following members to
21 participate in the stakeholder group under section 1:

- 22 1. At least one representative from the Office of the Attorney General;
- 23 2. One representative from the Riverview Psychiatric Center;
- 24 3. One representative from Northern Light Acadia Hospital;
- 25 4. One representative from MaineHealth;
- 26 5. One representative from the Maine Hospital Association;
- 27 6. One representative from Disability Rights Maine;
- 28 7. One representative from the Consumer Council System of Maine;
- 29 8. At least one individual who is or has been a patient under the Maine Revised
30 Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
- 31 9. One representative from an organization that advocates for family concerns;
- 32 10. At least one individual who is a family member of an individual who is or has been
33 a patient under the Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3;
- 34 11. One individual who is the legal guardian of a patient who is the subject of an
35 application for the progressive treatment program under the Maine Revised Statutes, Title
36 34-B, section 3873-A;
- 37 12. One representative from the Alliance for Addiction and Mental Health Services,
38 Maine;
- 39 13. One director of a team providing assertive community treatment;

14. At least one representative from a community provider who administers the treatment plan of a patient admitted to a progressive treatment program;
 15. One representative from a private nonmedical institution;
 16. One psychiatrist from the Maine Association of Psychiatric Physicians;
 17. One psychiatric nurse practitioner from the Maine Nurse Practitioner Association;
- and
18. One law enforcement officer.

The Commissioner of Health and Human Services shall also invite the participation of at least one representative of the Judicial Department.

Sec. 3. Report. Resolved: That the Commissioner of Health and Human Services shall present the findings and recommendations of the stakeholder group based on the reviews pursuant to section 1 to the Joint Standing Committee on Health and Human Services no later than December 3, 2025. The committee may report out legislation to the Second Regular Session of the 132nd Legislature related to the recommendations in the report.

SUMMARY

This resolve directs the Commissioner of Health and Human Services to convene a stakeholder group of interested parties to review the entire process related to a progressive treatment program under the Maine Revised Statutes, Title 34-B, section 3873-A and to review for efficiency and effectiveness the processes by which a person may be involuntarily admitted to a psychiatric hospital or receive court-ordered community treatment pursuant to Title 34-B, chapter 3, subchapter 4, article 3. The commissioner is required to submit a report with recommendations to the Joint Standing Committee on Health and Human Services no later than December 3, 2025. The committee is authorized to report out legislation to the Second Regular Session of the 132nd Legislature related to the recommendations in the report.