

MAINE STATE LEGISLATURE

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ROS

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L.D. 1989

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Date: 2/19/26

(Filing No. S-512)

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HEALTH AND HUMAN SERVICES

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Reproduced and distributed under the direction of the Secretary of the Senate.

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STATE OF MAINE

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SENATE

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132ND LEGISLATURE

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SECOND REGULAR SESSION

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COMMITTEE AMENDMENT "A" to S.P. 801, L.D. 1989, "An Act to Increase Access to the Progressive Treatment Program Fund"

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Amend the bill by inserting after the title and before the enacting clause the following:

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'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

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Whereas, progressive treatment programs are vital tools in helping individuals with serious mental illness remain in a community setting; and

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Whereas, legal fees for initiating and extending progressive treatment programs are a barrier for many individuals; and

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Whereas, the Progressive Treatment Program Fund is a dedicated fund to assist individuals who are filing an application for a progressive treatment program with paying for associated legal expenses; and

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Whereas, the current individual cap in funding continues to result in underuse of the fund; and

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Whereas, this legislation must take effect as soon as possible in order to address these issues; and

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Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

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Amend the bill by striking out everything after the enacting clause and inserting the following:

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'Sec. 1. 34-B MRSA §3873-B, sub-§2, as enacted by PL 2021, c. 745, §1, is amended to read:

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COMMITTEE AMENDMENT

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2. Application of fund. The department shall use the money in the fund to reimburse the legal costs incurred by ~~private entities~~ the following individuals to initiate or extend existing progressive treatment programs in accordance with section 3873-A: the superintendent or chief administrative officer of a private psychiatric hospital, the director of an ACT team, a private medical practitioner, a law enforcement officer or the legal guardian of the patient who is the subject of an application under section 3873-A. ~~A private entity.~~ The department may use money in the fund to reimburse a private attorney representing an individual eligible to receive funds under this subsection. An individual seeking reimbursement must submit to the department an itemized bill of legal costs incurred to initiate or extend the progressive treatment program. The maximum annual amount the department may reimburse ~~a private entity~~ an individual for the legal costs to initiate a or extend an existing progressive treatment program is ~~\$800~~ \$3,500. Reimbursement is subject to available funds.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment replaces the bill and adds an emergency preamble and emergency clause. It changes eligibility for reimbursement from the Progressive Treatment Program Fund by replacing the term "private entities" with a list of individuals eligible to receive reimbursements, including the superintendent or chief administrative officer of a private psychiatric hospital, the director of an ACT team, a private medical practitioner, a law enforcement officer or the legal guardian of the patient who is the subject of an application to a progressive treatment program. It also allows reimbursement for legal costs incurred to extend an existing progressive treatment program. It adds language stating that a private attorney representing an individual eligible to receive funds may also be reimbursed. It changes the cap for reimbursement from the fund from \$800 to an annual cap of \$3,500. It adds language stating that reimbursement is subject to available funds.

COMMITTEE AMENDMENT