

MAINE STATE LEGISLATURE

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3/13/86

1 (New Draft of S.P. 760, L.D. 1924)

2 (New Title)

3 SECOND REGULAR SESSION

4
5 ONE HUNDRED AND TWELFTH LEGISLATURE

6
7 Legislative Document

No. 2178

8
9 S.P. 864

In Senate, March 13, 1986

10 Reported by Majority Report from the Committee on Judiciary and
11 printed under Joint Rule 2. Original bill presented by President Pray of
12 Penobscot. Cosponsored by Senator Bustin of Kennebec, Senator Carpenter
of Aroostook and Representative Diamond of Bangor.

JOY J. O'BRIEN, Secretary of the Senate

13
14 STATE OF MAINE

15
16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-SIX
18

19 AN ACT to Extend the Judicial Certification
20 Procedures to Institutions Housing
21 Mentally Retarded Persons.
22

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

25 34-B MRSA §3872 is enacted to read:

26 §3872. Treatment of dually diagnosed persons

27 In the case of a patient who has been admitted to
28 a state mental health institute on a voluntary or in-
29 voluntary basis and who has also been diagnosed as
30 mentally retarded, the chief administrative officer
31 of the state mental health institute shall, after the
32 patient has been a resident for a period of no more
33 than 6 months, determine whether the patient is capa-
34 ble of giving informed consent to continued hospital-
35 ization.

1 Health and Mental Retardation will be required to ex-
2 plain to the court what steps the department has
3 taken to secure alternative placement.

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