

MAINE STATE LEGISLATURE

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(EMERGENCY)
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SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2334

S.P. 898 In Senate, February 23, 1988
Approved for Introduction by a Majority of the Legislative
Council pursuant to Joint Rule 27.
Reference to the Committee on Appropriations and Financial
Affairs suggested and ordered printed.
JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.
Cosponsored by Representative CARTER of Winslow,
Representative HICKEY of Augusta, Senator PERKINS of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-EIGHT

1 AN ACT to Create a Home-Based Treatment and
2 Education Demonstration Program for Persons
3 with Mental Illness and their Families.
4

5 Emergency preamble. Whereas, Acts of the
6 Legislature do not become effective until 90 days
7 after adjournment unless enacted as emergencies; and

8 Whereas, 35% of the people admitted to the Augusta
9 Mental Health Institute in 1987 were living with their

1 families prior to admission; and

2 Whereas, 32% of all persons discharged from the
3 Augusta Mental Health Institute in 1987 were returned
4 to their families; and

5 Whereas, the present system of care does not
6 recognize that families have become the 24-hour
7 caretakers of their mentally ill loved ones, but are
8 not given the information and support to cope with
9 serious mental illness; and

10 Whereas, the lack of a specific program that
11 provides information, support and outreach to families
12 results in undue suffering and more frequent episodes
13 of illness and subsequent hospitalization; and

14 Whereas, research has shown that the provision of
15 information, support and outreach to families
16 decreases episodes of illness and the need for
17 rehospitalization; and

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

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

26 Sec. 1. 5 MRSA §12004, sub-§10, ¶A, sub-¶(60-A)
27 is enacted to read:

28	(60-A)	<u>Mental</u>	<u>Home-Based</u>	<u>Not Autho-</u>	<u>34-B</u>
29		<u>Health</u>	<u>Demonstration</u>	<u>rized</u>	<u>MRSA</u>
30		<u>and</u>	<u>Program Advis-</u>		<u>§3634</u>
31		<u>Mental</u>	<u>ory Board</u>		
32		<u>Retard-</u>			
33		<u>ation</u>			

34 Sec. 2. 34-B MRSA §§3631 to 3634 are enacted to
35 read:

1 Article III

2 HOME-BASED TREATMENT AND EDUCATION
3 DEMONSTRATION PROGRAM

4 §3631. Home-Based Treatment and Education
5 Demonstration Program established

6 1. Creation. The Department of Mental Health and
7 Mental Retardation shall establish the Home-Based
8 Treatment and Education Demonstration Program in a
9 service area of the Augusta Mental Health Institute.

10 2. Objectives. The goals of this program are to
11 break the cycle of repeated episodes of illness and to
12 improve the quality of life of mentally ill persons
13 and their families by:

14 A. Creating an alliance that promotes a
15 supportive working relationship between the
16 mentally ill person and the family;

17 B. Providing information about the illness and
18 its management to the patient and to family
19 members; and

20 C. Providing outreach and crisis intervention and
21 psychiatric nursing services in the home when
22 necessary.

23 §3632. Medical assistance for program

24 The Bureau of Medical Services shall use the Maine
25 Medical Assistance Manual, Section 65.01-5, 2nd
26 paragraph, which allows payment for in-home services
27 and work with family and others as part of the
28 demonstration program.

29 §3633. Home-based treatment and education teams

30 1. Establishment. A home-based treatment and
31 education team shall be established by a nonprofit
32 community agency. This agency shall have experience
33 and knowledge about mental illness, demonstrated
34 experience in outreach and home-based nursing and

1 health services in rural areas and the proven capacity
2 to provide services in isolated areas.

3 2. Qualifications. The team shall be comprised
4 of one half-time psychiatrist, 2 psychologists and 2
5 psychiatric nurses with training and experience in
6 mental illness and the commitment to provide
7 information and support to mentally ill persons and
8 their families.

9 §3634. Home-Based Demonstration Program Advisory Board

10 The Home-Based Demonstration Program Advisory
11 Board, as established under Title 5, section 12004,
12 subsection 10, shall consist of the following 9
13 members.

14 1. Establishment and membership. The members
15 shall be the Superintendent of the Augusta Mental
16 Health Institute, or a designee; the chief executive
17 officer of the agency providing the service, or a
18 designee; the Director of the Office of Community
19 Support Systems, Bureau of Mental Health; a
20 representative of the Maine State Alliance for the
21 Mentally Ill chosen by that group; a private mental
22 health practitioner; a consumer or patient receiving
23 these services and 3 additional members to be
24 appointed by the commissioner.

25 2. Duties. The department shall consult with the
26 board periodically concerning the operation of the
27 home-based treatment and education program to
28 determine whether it is meeting the goals of breaking
29 the cycle of repeated episodes of illness and
30 improving the quality of life of mentally ill persons
31 and their families and whether this program should be
32 implemented on a statewide basis.

33 Sec. 3. Appropriation. The following funds are
34 appropriated from the General Fund to carry out the
35 purposes of this Act.

36 1988-89

37 MENTAL HEALTH AND

1 MENTAL RETARDATION,
2 DEPARTMENT OF

3 Bureau of Mental Health

4 All Other \$179,762

5 These funds shall be
6 used to purchase the
7 home-based treatment
8 and education services
9 established in this
10 Act, and to provide
11 Medicaid seed for the
12 services established
13 in this Act.

14 **Emergency clause.** In view of the emergency
15 cited in the preamble, this Act shall take effect when
16 approved.

17 STATEMENT OF FACT

18 Our system of mental health care has not
19 recognized that families have taken over the 24-hour
20 care responsibility for their mentally ill loved ones
21 that was once provided by hospitals. For example, in
22 1987, 426 persons, or 35% of all people admitted to
23 the Augusta Mental Health Institute, were living with
24 their families prior to admission and 354 people, or
25 32% of all persons discharged, were returned to their
26 families.

27 Unfortunately, family members are not given the
28 information, ongoing support and home-based outreach
29 and intervention services needed to meet this
30 responsibility. The result in many cases is undue
31 suffering and more frequent relapses and subsequent
32 rehospitalization that taxes not only the ability of
33 the family to cope, but creates overcrowding problems
34 for the hospital.

35 This bill establishes a program designed

1 specifically to support mentally ill persons and
2 families in the home, to give needed information about
3 the illness, its course and treatments and to provide
4 ongoing help to apply what is known about coping with
5 severe mental illness.

6 The bill also establishes an advisory board to
7 review the effectiveness of the program and to
8 determine whether the program should be implemented on
9 a statewide basis.

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