

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

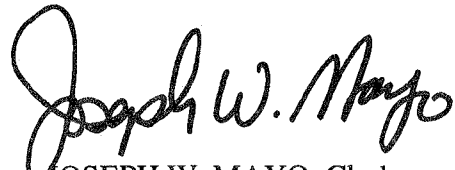
No. 106

H.P. 81

House of Representatives, January 9, 1997

**Resolve, Establishing the Commission to Review the Effectiveness of
Statewide Confidentiality Laws Dealing with the Care of People with
Mental Illness.**

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


JOSEPH W. MAYO, Clerk

Presented by Representative WINGLASS of Auburn.

Cosponsored by Representatives: ETNIER of Harpswell, JONES of Bar Harbor, JOY of
Crystal, MARVIN of Cape Elizabeth, Senators: BENOIT of Franklin, PINGREE of Knox.

2 **Sec. 1. Commission established. Resolved:** That the Commission to
Review the Effectiveness of Statewide Confidentiality Laws
4 Dealing with the Care of People with Mental Illness, referred to
in this resolve as the "commission," is established; and be it
6 further

8 **Sec. 2. Membership. Resolved:** That the commission consists
of 7 members, appointed as follows:

10 1. Two members from the Department of the Attorney General,
12 one chosen by the Governor and one chosen by the President of the
Senate;

14 2. Two members representing lawyers from the private
16 sector, one chosen by the Governor and one chosen by the Speaker
of the House;

18 3. Two members who are providers of mental health services,
20 one chosen by the President of the Senate and one chosen by the
Speaker of the House; and

22 4. One member from the Department of Mental Health, Mental
24 Retardation and Substance Abuse to be chosen by the Governor; and
be it further

26 **Sec. 3. Appointments. Resolved:** That all appointments must be
28 made no later than 30 days following the effective date of this
resolve. The appointing authorities shall notify the Executive
30 Director of the Legislative Council upon making their
appointments. When the appointment of all members is complete,
32 the Chair of the Legislative Council shall call and convene the
first meeting of the commission no later than October 15, 1997.
34 The commission shall select a chair from among its members; and
be it further

36 **Sec. 4. Duties. Resolved:** That the commission shall examine
38 what, if any, information should be kept confidential as it
pertains to the care of people with mental illness. In examining
40 this issue, the commission shall review methods that are employed
by other states as it pertains to the confidentiality of the care
42 of people with mental illness; and be it further

44 **Sec. 5. Staff assistance. Resolved:** That the commission shall
request staffing and clerical assistance from the Legislative
46 Council; and be it further

48 **Sec. 6. Compensation. Resolved:** That the members who are
neither employees of the State nor Legislators are entitled to a
50 per diem and expenses equal to the legislative per diem and
expenses; and be it further

2 **Sec. 7. Report. Resolved:** That the commission shall submit
its report with any accompanying legislation to the Second
4 Regular Session of the 118th Legislature by January 1, 1998.

6 If the commission requires an extension, it may apply to the
Legislative Council, which may grant the extension.
8

10 **SUMMARY**

12 This resolve creates a study commission to review the
effectiveness of statewide confidentiality laws dealing with the
14 care of people with mental illness. The commission must submit
its report and any accompanying legislation to the Second Regular
16 Session of the 118th Legislature.