

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1997

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Legislative Document

No. 1326

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H.P. 963

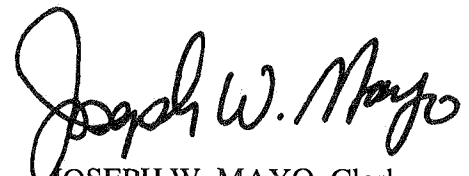
House of Representatives, March 4, 1997

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### An Act to Provide Boards of Directors for State Mental Health Institutes.

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative MARVIN of Cape Elizabeth.  
Cosponsored by Senator MITCHELL of Penobscot and  
Representatives: BRAGDON of Bangor, BROOKS of Winterport, LOVETT of Scarborough,  
Senator: PARADIS of Aroostook.

2  
3 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 34-B MRSA §3203 is enacted to read:

5 **§3203. Boards of directors**

6 The Augusta Mental Health Institute and the Bangor Mental  
7 Health Institute shall each operate under the oversight of a  
8 board of directors consisting of 12 members.

9  
10 **1. Membership.** The members of each board of directors are  
11 appointed by the commissioner and the institute council  
12 established pursuant to section 3607, subsection 2. Initial  
13 appointments must be made by February 1, 1998. The initial  
14 boards must consist of 6 members appointed by the commissioner, 3  
15 to serve one-year terms and 3 to serve 2-year terms; and 6  
16 members appointed by the institute councils, 3 to serve one-year  
17 terms and 3 to serve 2-year terms. Members of subsequent boards  
18 serve 2-year terms.

19  
20 **2. Qualifications.** Members of the boards of directors must  
21 be qualified to serve by showing an interest in mental health, a  
22 broad perspective and objectivity, effective leadership skills,  
23 an ability to communicate effectively and an ability to work well  
24 in a group.

25  
26 **3. Duties.** The boards of directors shall work with the  
27 superintendents of the state mental health institutes and the  
28 institute councils and oversee the operation of the state mental  
29 health institutes and the institutes' systems for assessing and  
30 improving the quality of resident care, including programs for  
31 the management of risk and liability and plans to promote the  
32 safety of residents of the institutes and their visitors and  
33 employees.

34  
35 **4. Access to information.** Notwithstanding any provision of  
36 law or rule, the boards of directors are authorized to review  
37 patient records and patient treatment information regarding  
38 patients cared for in the respective institutes.

39  
40 **5. Meetings.** The boards of directors shall meet 3 times  
41 annually and at such other times as determined to be appropriate  
42 by their chairs.

43  
44 **6. Chair.** At the first meeting of each board of directors  
45 and at the first meeting after January 1st each year thereafter,  
46 the members of the board shall elect a chair, a vice-chair and a  
47 secretary.

48  
49 **7. Voluntary services; funding.** Members of the boards of  
50 directors serve voluntarily and without pay. Members may be

2 reimbursed for the reasonable expenses of attending board  
3 meetings and performing other acts within their duties. Funding  
4 must be provided by the department sufficient for the boards to  
5 fulfill their duties.

6 **Sec. 2. 34-B MRSA §3607, sub-§2, ¶F** is enacted to read:

8 F. Each institute council shall assist each board of  
9 directors of the state mental health institutes in carrying  
10 out the duties of the boards of directors.

12 **Sec. 3. Effective date.** This Act takes effect January 1, 1998.

14  
15 **SUMMARY**

16 This bill establishes boards of directors for the Augusta  
17 Mental Health Institute and the Bangor Mental Health Institute to  
18 work with the institute councils and to oversee the institutes,  
19 including the institutes' systems for assessing and improving the  
20 quality of care, management of risk and liability and safety  
21 plans.  
22