

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 1526

S.P. 495

In Senate, March 18, 1997

An Act to Redefine the Community Services of the Mental Health System.

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

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator PARADIS of Aroostook.
Cosponsored by Representative MITCHELL of Portland and
Senator MITCHELL of Penobscot, Representatives: FULLER of Manchester, JOYNER of
Hollis, KANE of Saco, LOVETT of Scarborough, QUINT of Portland.

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

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3 **Sec. 1. 34-B MRSA §3607, first ¶,** as enacted by PL 1995, c.
4 691, §7, is amended to read:

6 The department shall establish 9 quality improvement
7 councils to oversee the delivery of mental health services to
8 children and adults under the authority of the department or who
9 have a major mental illness.

10 **Sec. 2. 34-B MRSA §3607, sub-§1, ¶B,** as enacted by PL 1995, c.
11 691, §7, is amended to read:

12 B. "Consumer" means a recipient or former recipient of
13 publicly funded mental health services or an adult who has
14 or had a major mental illness.

15 **Sec. 3. 34-B MRSA §3607, sub-§1, ¶D-1** is enacted to read:

16 D-1. "Major mental illness" means a diagnosis of
17 schizophrenia, bipolar disorder or depression accompanied by
18 serious impairments in perceptual, cognitive, affective and
19 interpersonal functioning or other serious mental disorder
20 when accompanied by severe psychiatric symptomatology and
21 functional impairments.

22 **Sec. 4. 34-B MRSA §3607, sub-§5,** as enacted by PL 1995, c.
23 691, §7, is amended to read:

24 **5. Duties.** By October 1, 1996, each council shall submit
25 to the department a plan for the development, coordination and
26 implementation of a local mental health system for the delivery
27 of services to children and adults under the authority of the
28 department and to their families. This plan must be updated
29 every 2 years. By October 1, 1998, the updated plan of each
30 council must include provisions for the development, coordination
31 and implementation of a local mental health system for the
32 delivery of services to children and adults who have a major
33 mental illness. The department shall determine required elements
34 of the plan, including but not limited to the following:

35 A. Case management, including advocacy activities and
36 techniques for identifying and providing services to
37 consumers at risk. Case management services must be
38 independent of providers whenever possible;

39 B. Medication management, outpatient therapy, substance
40 abuse treatment and other outpatient services;

41 C. In-home flexible supports, home-based crisis assistance,
42 mobile outreach, respite and inpatient capacity and other
43 crisis prevention and resolution services;

2 D. Housing, in-home support services, tenant training and
4 support services, home ownership options and supported
housing; and

6 E. Rehabilitation and vocational services, including
8 transitional employment, supported education and job finding
and coaching.

10 **Sec. 5. PL 1995, c. 691, §11** is amended to read:

12 **Sec. 11. Report.** The Commissioner of Mental Health, Mental
14 Retardation and Substance Abuse Services shall report to the
joint standing committee of the Legislature having jurisdiction
16 over health and human services matters by January 1, 1997 and by
January 1, 1998 on the operation of quality improvement councils
18 as established in the Maine Revised Statutes, Title 34-B,
section 3607 and local service networks as established in Title
20 34-B, section 3608 and shall include recommendations for
improving the operations and any legislation necessary to
22 accomplish those purposes. The 1998 report must include any
recommendations or legislation necessary to accomplish plans for
24 delivery of services to children and adults who have a major
mental illness required by the Maine Revised Statutes, Title
34-B, section 3607, subsection 5. In preparing these
26 recommendations or legislation, the commissioner shall examine
the laws of Missouri and other states that provide local mental
28 health services to children and adults who have a major mental
illness.

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SUMMARY

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Under current law, quality improvement councils established
36 in regions of the State and operating under the authority of the
Department of Mental Health, Mental Retardation and Substance
38 Abuse Services are developing plans to deliver services through
local mental health systems to children and adults under the
40 authority of the department. This bill defines "major mental
illness" and extends the requirement for delivering local mental
42 health services to persons who may not be under the authority of
the department but who have a major mental illness. The bill
44 requires the Commissioner of Mental Health, Mental Retardation
and Substance Abuse Services to review other states' laws
46 regarding the provision of such services and to report to the
Legislature on implementing the extension of local mental health
services to persons not under the department's authority.