

# MAINE STATE LEGISLATURE

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# 118th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-1997

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Legislative Document

No. 1722

S.P. 565

In Senate, April 1, 1997

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### An Act to Ensure Quality Care for Persons with Mental Illness.

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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 DAGGETT of Kennebec.  
Cosponsored by Representative COWGER of Hallowell and  
Senators: CATHCART of Penobscot, KILKELLY of Lincoln, Representatives: MADORE of  
Augusta, O'BRIEN of Augusta, SAXL of Bangor.

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

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Sec. 1. 34-B MRSA §3011 is enacted to read:

**§3011. Responsible mental health system**

1. System established. The department shall develop and maintain a fully responsive mental health system that provides a continuum of mental health care that reflects and addresses the needs of the State's mentally ill population.

2. System components. The system required by subsection 1 must:

A. Include an array of services and facilities necessary to meet the varying needs and degrees of need of persons with mental illness;

B. Maintain measurable high quality. The department shall develop mechanisms to periodically measure and evaluate the quality of the system;

C. Respond to shifting individual needs or changes in regional circumstances; and

D. Operate on a sound economic basis.

3. Services and facilities. Downsizing of a state mental health institute maintained pursuant to subchapter II may occur only when it is consistent with a measurable and incremental reduction in the need and demand or utilization for the services provided at the institute and when adequate and appropriate services are available through community mental health services. The department shall maintain state mental health facilities to ensure that the following populations of mentally ill persons receive the most appropriate care:

A. Persons adjudicated as not criminally responsible for crimes committed while mentally ill;

B. Acute voluntary and involuntary patients for whom community hospitals and crisis beds are not appropriate or adequate; and

C. Long-term acute and involuntary patients who need a safe and secure place for recovery or treatments and who may require stays longer than 30 days.

## SUMMARY

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4 This bill requires the Department of Mental Health, Mental  
6 Retardation and Substance Abuse Services to develop and maintain  
8 a fully responsive mental health system that provides a continuum  
10 of mental health care, including the state mental health  
facilities, to ensure that the needs of the mentally ill in the  
State are appropriately and adequately met.