

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

SECOND REGULAR SESSION-2002

Legislative Document

No. 2088

H.P. 1583

House of Representatives, January 22, 2002

**An Act to Implement the Recommendations of the Committee to Study
the Needs of Persons with Mental Illness Who are Incarcerated Relating
to Treatment and Aftercare Planning in State Prisons.**

Reported by Speaker SAXL for the Committee to Study the Needs of Persons with Mental
Illness Who are Incarcerated pursuant to Joint Order 2001, H. P. 1383.

Reference to the Joint Standing Committee on Appropriations and Financial Affairs
suggested and printing ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

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

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PART A

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Sec. A-1. Appropriations and allocations. The following appropriations and allocations are made.

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CORRECTIONS, DEPARTMENT OF

10

Maine State Prison

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New Initiative: Provides funds for one Records Clerk position and contracted psychologist services to undertake mental health screening at the Maine State Prison.

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General Fund	2002-03
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Positions - Legislative Count	(1,000)
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Personal Services	\$35,870
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All Other	83,799
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Total	<u>\$119,669</u>
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Maine Correctional Center

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New Initiative: Provides funds for one Records Clerk position and contracted psychologist services to undertake mental health screening at the Maine Correctional Center.

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General Fund

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Positions - Legislative Count	(1,000)
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Personal Services	\$35,870
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All Other	83,799
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Total	<u>\$119,669</u>
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DEPARTMENT OF CORRECTIONS

TOTAL	<u>\$239,338</u>
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PART B

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Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

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CORRECTIONS, DEPARTMENT OF

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Correctional Medical Services Fund

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New Initiative: Provides funding for added contracted psychiatric and nursing services to provide mental health

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2 services in the Department of Correction's correctional
3 facilities in order to ensure the department can meet national
4 accreditation standards.

5 **General Fund** **2002-03**
6 All Other \$275,000

8 **PART C**

10 **Sec. C-1. Forensic training for mental health workers.** The
12 Department of Corrections shall establish a training program
13 designed to provide specialized forensic training to case
14 management and community support providers and providers of
15 crisis and outpatient mental health services in order to increase
16 awareness of the criminal justice issues associated with the
17 treatment of persons with mental illness who are incarcerated.
18 The department shall provide, no later than January 30, 2003, a
19 report to the joint standing committee of the Legislature having
20 jurisdiction over criminal justice matters on the development and
21 implementation of the training program.

22 **Sec. C-2. Appropriations and allocations.** The following
23 appropriations and allocations are made.

26 **CORRECTIONS, DEPARTMENT OF**

28 **Correctional Medical Services Fund**

30 New Initiative: Provides funding for specialized forensic
31 training to case management and community support providers and
32 providers of crisis and outpatient services.

34 **General Fund** **2002-03**
35 All Other \$10,000

38 **PART D**

40 **Sec. D-1. Use of medications to treat mentally ill inmates.** The
41 Department of Corrections shall review, in consultation with the
42 Department of Behavioral and Developmental Services, its
43 formulary to ensure that it includes the best medications for the
44 treatment of inmates with mental illness and shall adopt policies
45 to ensure that the most effective such medications are available
46 and used and that clinical care needs, not cost, govern the use
47 of medications. The department shall provide, no later than
48 January 30, 2003, a report to the joint standing committee of the
49 Legislature having jurisdiction over criminal justice matters of
50 its actions pursuant to this section.

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PART E

Sec. E-1. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Adult Community Corrections

New Initiative: Provides funding for 2 Caseworker positions to provide aftercare planning services for persons with mental illness to be released from state prison facilities.

General Fund	2002-03
Positions - Legislative Count	(2,000)
Personal Services	\$94,925
All Other	22,860
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Total	117,785

PART F

Sec. F-1. 34-A MRSA §1402, sub-§5, as amended by PL 1991, c. 314, §19, is further amended to read:

5. Grievance procedures. The commissioner shall establish procedures for hearing grievances of clients as described in section 1203. The commissioner, in consultation with the Department of Behavioral and Developmental Services, shall establish a separate grievance process for addressing complaints by clients with mental illness about their treatment, which must include a means by which a client may obtain a 2nd opinion about mental health treatment from an independent mental health professional.

SUMMARY

This bill implements the recommendations of the Committee to Study the Needs of Persons with Mental Illness Who are Incarcerated relating to treatment and aftercare planning in state prisons.