MAINE STATE LEGISLATURE

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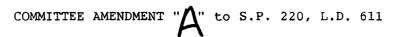


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		L.D. 611
2	DATE: 2.24.04	(Filing No. S-400
4		, 1,0
6	HEALTH AND HUMAN SERVICES	
8	Reported by:	
10	Reproduced and distributed under of the Senate.	the direction of the Secretary
12	STEATER O	E MAATRIE
14	STATE OF MAINE SENATE 121ST LEGISLATURE	
16		JLAR SESSION
18	COMMITTEE AMENDMENT !! +	o S.P. 220, L.D. 611, Bill, "Ar
20	Act To Obtain Substance Abuse Ser	
22	Amend the bill by striking the following:	out the title and substituting
24	·	
26	'An Act To Obtain Substance Abus Services'	se Services for Youth in Need of
28	Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:	
30		
32	'Sec. 1. 22 MRSA §4099-A, sub-§4, ¶¶B and C, as enacted by Pl 2003, c. 451, Pt. P, §3, are amended to read:	
34	_	
36	B. Is without or beyond the or legal guardian; er	ne control of the child's parent
38		of serious physical, mental or
40	emotional injury or at risk of prosecution for a juvenil offense <u>; or</u>	
42	Sec. 2. 22 MRSA §4099-A, sub-§	$4,\P D$ is enacted to read:
44	D. Is abusing alcohol or harm as a result.	drugs and is at risk of serious
46		b-$\S3$, as enacted by PL 2003, c.
48	451, Pt. P, §3, is amended to rea	- · ·

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- 3. Imminent danger. If a youth is determined by a case manager to be in need of services and is in imminent danger of serious physical, mental or emotional injury ex, is at risk of prosecution for a juvenile offense or is abusing alcohol or drugs and is at risk of serious harm as a result, the case manager shall attempt to contact the family or legal guardian, if appropriate, to begin services to the youth and family or legal guardian and shall promptly file a petition to commence court proceedings.
 - A. If the court finds that a youth is in need of services and is in imminent danger of serious physical, mental or emotional injury er, is at risk of prosecution for a juvenile offense or is abusing alcohol or drugs and is at risk of serious harm as a result, the court shall order that a service provider offer appropriate services to the youth and the youth's family or legal guardian if appropriate.
 - B. In a proceeding brought under this subsection, if the court orders a service provider to offer appropriate services to a youth or the youth's family or legal guardian, the court may not order secure residential placement or inpatient treatment or order a youth to participate in services or enter an order of enforcement or contempt.
- Sec. 4. 22 MRSA §4099-C, sub-§5, as enacted by PL 2003, c. 451, Pt. P, §3, is amended to read:
- 5. Reporting. The department shall report by October 1, 2003 and annually thereafter to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the number and nature of preliminary assessments, safety plans and court proceedings under this section. Beginning October 1, 2004, the report must include summary statistics on the number and characteristics of youth who refuse services under this section, including demographic information, reason for referral, assessed needs and stated reason for refusal of services. The report must include safety plans and court proceedings under this section. The report must include recommendations for policy initiatives, rulemaking and legislative action for youth in need of services.

Sec. 5. 22 MRSA §4099-C, sub-§6 is enacted to read:

6. Data. The department shall collect data on the number and characteristics of youth who refuse services under this section, including demographic information, reason for referral, assessed needs and stated reason for refusal of services. The department shall share the data collected under this subsection

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT 'A' to S.P. 220, L.D. 611



with the Department of Behavioral and Developmental Services, Office of Substance Abuse no later than October 1, 2004 and every 6 months thereafter.

Sec. 6. Provider training. The Department of Behavioral and Developmental Services, Office of Substance Abuse shall increase training for providers in motivational therapy, family therapy and other evidence-based practices that are effective with reluctant adolescent clients. The Department of Human Services and the Office of Substance Abuse shall require joint training and communication between Youth in Need of Services Program providers and substance abuse services providers regarding methods to engage reluctant youth in treatment.

Sec. 7. Provider incentives and information. The Department of Behavioral and Developmental Services, Office of Substance Abuse shall modify its contracts with substance abuse services providers to create incentives to increase recruitment and retention of adolescent clients who are reluctant to engage in treatment. The Office of Substance Abuse also shall provide information and support to substance abuse treatment providers to increase services provided to parents of adolescent clients, with or without the adolescents' involvement.

Sec. 8. Parent outreach and education. The Department of Behavioral and Developmental Services, Office of Substance Abuse shall conduct outreach and education to help parents of children who are abusing drugs to locate and access resources to address substance abuse, including treatment, self-help, skill development and support groups for themselves and their children.

 Sec. 9. Report required. The Department of Behavioral and Developmental Services, Office of Substance Abuse shall report by October 1, 2004 to the Joint Standing Committee on Health and Human Services on the status of implementation of this Act.'

SUMMARY

This amendment replaces the bill. The amendment refines the definition of "youth in need of services" by explicitly specifying that a child who is abusing alcohol or drugs and is at risk of serious harm as a result qualifies as a youth in need of services. The amendment requires the Department of Human Services to include in its annual report summary information on the number and characteristics of youth who refuse services and to share the underlying data with the Department of Behavioral and Developmental Services. Office of Substance Abuse on a semiannual basis. The amendment requires increased training for substance abuse services providers and joint training between

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substance abuse services providers and Youth in Need of Services Program providers regarding methods to engage reluctant youth.

The amendment also requires the Office of Substance Abuse to create incentives for providers to increase recruitment and retention of reluctant adolescent clients and to provide information and support to providers to increase services for parents of adolescent clients. The amendment requires the Office of Substance Abuse to conduct outreach and education to help parents of children who are abusing drugs to find resources for themselves and their children.

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Finally, the amendment requires the Office of Substance Abuse to report by October 1, 2004 to the Joint Standing Committee on Health and Human Services on the status of implementation of these requirements.

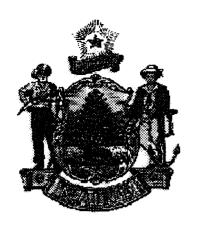
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FISCAL NOTE REQUIRED (See attached)

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Approved: 02/12/04 ///



121st Maine Legislature Office of Fiscal and Program Review

LD 611

An Act To Obtain Substance Abuse Services for Minors

LR 1278(02)

Fiscal Note for Bill as Amended by Committee Amendment Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional cost to the Department of Human Services and the Department of Behavioral and Developmental Services can be absorbed by the departments utilizing existing budgetary resources.