

# MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE

SENATE

123RD LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 228, L.D. 711, Bill, "An Act Regarding Notice That Must Be Provided by a Psychiatric Facility Concerning Certain Patients"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 5 MRSA §19509, sub-§3 is enacted to read:

3. Department. The Department of Health and Human Services shall, within 3 days of receipt, forward to the agency all notices received pursuant to Title 34-B, section 3861, subsection 1, paragraph E.

Sec. 2. 34-B MRSA §3861, sub-§1, ¶E is enacted to read:

E. The chief administrative officer of a nonstate mental health institution shall provide notice to the department and such additional information as may be requested by the department when a person who was involuntarily admitted to the institution has died, attempted suicide or sustained a serious injury resulting in significant impairment of physical condition. For the purposes of this paragraph, "significant impairment" includes serious injuries resulting from burns, lacerations, bone fractures, substantial hematoma and injuries to internal organs whether self-inflicted or inflicted by another person. The notice must be provided within 24 hours of occurrence and must include the name of the person; the name, address and telephone number of that person's legal guardian, conservator or legal representative and parents if that person is a minor; a detailed description of the occurrence and any injuries or impairments sustained; the date and time of the occurrence; the name, street address and telephone number of the facility; and the name and job title of the person providing the notice.'

SUMMARY

This amendment enacts provisions in the law regarding involuntary hospitalization requiring nonstate mental health institutions to provide notice to the Department of

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 228, L.D. 711

1 Health and Human Services whenever any involuntarily admitted patient has died,  
2 attempted suicide or sustained a serious injury. The amendment further requires the  
3 department to forward these notices to the federally designated protection and advocacy  
4 agency for persons with disabilities.

5 **FISCAL NOTE REQUIRED**  
6 (See attached)



# 123rd MAINE LEGISLATURE

LD 711

LR 1436(02)

## An Act Regarding Notice That Must Be Provided by a Psychiatric Facility Concerning Certain Patients

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

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### Fiscal Note

Minor cost increase - General Fund

#### Fiscal Detail and Notes

Any additional costs associated with this notification requirement can be absorbed by the Department of Health and Human Services and the Maine Disability Right's Center utilizing existing budgeted resources.