

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 711

S.P. 228

February 13, 2007

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

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 BRANNIGAN of Cumberland.

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

2 **Sec. 1. 5 MRSA §19509, sub-§2**, as enacted by PL 2001, c. 357, §16, is amended
3 to read:

4 **2. State mental health institutes; state-operated psychiatric treatment facilities;**
5 **private psychiatric hospitals, units and treatment facilities.** A state mental health
6 institute or state-operated psychiatric treatment facility shall notify the agency and
7 provide access to information relating to a person with a disability if that person, while in
8 the hospital, has died, attempted suicide or sustained a serious injury resulting in
9 significant impairment of physical condition. A private psychiatric hospital, psychiatric
10 unit or psychiatric treatment facility shall notify the agency and provide access to
11 information relating to a person with a disability if that person was initially admitted to
12 the hospital, unit or facility involuntarily and if that person, while in the hospital, has
13 died, attempted suicide or sustained a serious injury resulting in significant impairment of
14 physical condition. For the purposes of this subsection, significant impairment includes
15 serious injuries resulting from burns, lacerations, bone fractures, substantial hematoma
16 and injuries to internal organs whether self-inflicted or inflicted by another person.

17 **SUMMARY**

18 This bill amends provisions of the law regarding the protection and advocacy agency
19 for persons with disabilities. It requires that a private psychiatric hospital, psychiatric
20 unit or psychiatric treatment facility notify the agency and provide access to information
21 whenever an involuntarily admitted patient has died, attempted suicide or sustained a
22 serious injury. This is the same notice and access as are currently required of state mental
23 health institutes.