

MAINE STATE LEGISLATURE

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Date: 2/13/14

L.D. 1031
(Filing No. H-610)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “A” to H.P. 726, L.D. 1031, Bill, “An Act To Require a Mandatory Peer Review Process for the Restraint and Seclusion of Children in a Hospital or Children's Home”

Amend the bill by striking out the title and substituting the following:

'Resolve, Directing the Department of Health and Human Services To Review the Use of Restraint and Seclusion at Mental Health Institutes'

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

Sec. 1. Restraint and seclusion review. Resolved: That the Commissioner of Health and Human Services shall review the use of restraint and seclusion in the Dorothea Dix Psychiatric Center and Riverview Psychiatric Center and invite representatives of the 2 nonstate mental health institutions, Spring Harbor Hospital and Acadia Hospital, to provide information regarding the use of restraint and seclusion in those institutions in order to compare the use of restraint and seclusion in institutes and institutions. The commissioner shall also invite representatives of psychiatric units within acute care hospitals to participate in discussions on the use of restraint and seclusion. The commissioner shall conduct the review within existing resources; and be it further

Sec. 2. Department of Health and Human Services report. Resolved: That the Commissioner of Health and Human Services shall report the findings and recommendations of the review pursuant to section 1 to the Joint Standing Committee on Health and Human Services no later than November 1, 2014; and be it further

Sec. 3. Disability rights advocacy community participation. Resolved: That the Commissioner of Health and Human Services shall invite members of the disability rights advocacy community to discuss the findings of the report pursuant to section 2 and possible policy changes no later than November 15, 2014.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the bill with a resolve. It directs the Commissioner of Health and Human Services to review the use of restraint and seclusion in state mental health institutes and nonstate mental health institutions. The commissioner is required to report the findings and recommendations of the review to the Joint Standing Committee on Health and Human Services no later than November 1, 2014. The commissioner is also required to invite members of the disability rights advocacy community to discuss the findings of the report and possible policy changes no later than November 15, 2014.

FISCAL NOTE REQUIRED

(See attached)



126th MAINE LEGISLATURE

LD 1031

LR 1854(02)

An Act To Require a Mandatory Peer Review Process for the Restraint and Seclusion of Children in a Hospital or Children's Home

Fiscal Note for Bill as Amended by Committee Amendment 'A' (H-610)

Committee: Health and Human Services

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

The additional costs to the Department of Health and Human Services to review and report on the use of restraint and seclusion in psychiatric settings can be absorbed by the department utilizing existing budgeted resources.