

# MAINE STATE LEGISLATURE

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# 126th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2014

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Legislative Document

No. 1580

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H.P. 1151

House of Representatives, December 30, 2013

### **An Act To Use the Dorothea Dix Psychiatric Center To Provide Inpatient Mental Health Services for Forensic Patients**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 23, 2013. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative FREY of Bangor.

1           **Emergency preamble. Whereas,** acts and resolves of the Legislature do not  
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3           **Whereas,** the State operates 2 psychiatric hospitals, the Dorothea Dix Psychiatric  
4 Center in Bangor for nonforensic patients and the Riverview Psychiatric Center in  
5 Augusta for nonforensic patients and forensic patients; and

6           **Whereas,** the patient census at the Riverview Psychiatric Center and the needs of  
7 nonforensic and forensic patients can combine to exceed the capacity of the hospital to  
8 provide treatment that meets best practice standards in an environment that is safe and  
9 secure for patients and hospital staff, forcing the Superintendent of the Riverview  
10 Psychiatric Center to consider discontinuing admissions of patients who are eligible and  
11 in need of admission and transferring patients to other facilities; and

12           **Whereas,** in response to the demand for psychiatric services at the Riverview  
13 Psychiatric Center, the Legislature enacted Public Law 2013, chapter 434 to enable the  
14 Commissioner of Corrections to accept for placement an adult patient committed by order  
15 of the court to the custody of the Commissioner of Health and Human Services for  
16 evaluation or examination; and

17           **Whereas,** the funding appropriated to the Department of Corrections for staffing of  
18 the newly expanded mental health unit at the Maine State Prison was appropriated only  
19 until the end of fiscal year 2013-14 but the need for mental health services in that unit  
20 will extend beyond June 30, 2014; and

21           **Whereas,** the needs of nonforensic and forensic patients at the Riverview  
22 Psychiatric Center and the number of persons seeking admission to the Riverview  
23 Psychiatric Center exceed the capacity of the Riverview Psychiatric Center and the  
24 Dorothea Dix Psychiatric Center as they are currently configured while those facilities  
25 have available unused capacity that can be used to meet these important health care  
26 needs; and

27           **Whereas,** in the judgment of the Legislature, these facts create an emergency within  
28 the meaning of the Constitution of Maine and require the following legislation as  
29 immediately necessary for the preservation of the public peace, health and safety; now,  
30 therefore,

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

32           **Sec. 1. 34-B MRSA §3806** is enacted to read:

33           **§3806. Use of the Dorothea Dix Psychiatric Center**

34           The department shall take all necessary steps to enable the department to use the  
35 Dorothea Dix Psychiatric Center to provide services to patients in the custody of the  
36 commissioner who pose a likelihood of serious harm to others and for whom there is not  
37 sufficient security at the Riverview Psychiatric Center to address the likelihood of serious  
38 harm.

