

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 607

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H.P. 423

House of Representatives, February 16, 2017

### **An Act To Enhance Maine's Coordinated Response to Mental Health Crises**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative TALBOT ROSS of Portland.  
Cosponsored by Senator DION of Cumberland and  
Representatives: GATTINE of Westbrook, GERRISH of Lebanon, MALABY of Hancock,  
RECKITT of South Portland, STEWART of Presque Isle, WARREN of Hallowell, Senators:  
DESCHAMBAULT of York, ROSEN of Hancock.

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

2 **Sec. 1. 34-B MRSA c. 3, sub-c. 3, art. 3** is enacted to read:

3 **ARTICLE 3**

4 **CRISIS INTERVENTION COORDINATION**

5 **§3641. Crisis intervention coordination**

6 The department shall provide assistance to crisis intervention teams, agencies and law  
7 enforcement agencies to enable them to coordinate crisis intervention services and to  
8 fulfill the terms of the memorandum of understanding required under subsection 2.

9 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
10 following terms have the following meanings.

11 A. "Agency" means a person, firm, association or corporation that provides mental  
12 health services through one or more contracts with the department for the purposes of  
13 providing crisis services, but does not include the individual or corporate professional  
14 practice of one or more psychologists or psychiatrists.

15 B. "Crisis intervention team" means a crisis intervention team established under  
16 section 3622.

17 C. "Law enforcement agency" means the State Police, a sheriff's department or a  
18 municipal police department.

19 D. "Law enforcement officer" means a person who by virtue of public employment  
20 is vested by law with the power to make arrests for crime or serve criminal process.

21 E. "Person in need of mental health crisis services" means a person who appears to a  
22 law enforcement officer to be experiencing a mental health crisis or to have an  
23 untreated mental illness that compromises the ability of the person to function safely  
24 in the community.

25 **2. Memorandum of understanding.** By July 1, 2018, a crisis intervention team or  
26 agency shall enter into and sign a memorandum of understanding with each law  
27 enforcement agency that provides law enforcement services in the area of the State served  
28 by the crisis intervention team or agency. The memorandum of understanding must be  
29 effective for 3 years and must be renewed every 3 years. The memorandum of  
30 understanding must include the following:

31 A. A description of the process that the law enforcement agency uses to identify a  
32 person in need of mental health crisis services with whom the law enforcement  
33 officer has contact in the course of performing official duties, regardless of the  
34 custodial standing of the person;

35 B. A description of the protocol that the law enforcement agency uses, within 24  
36 hours of contact with a person in need of mental health crisis services, to share a  
37 contact report with a crisis intervention team or agency;

1 C. A description of the process the crisis intervention team or agency uses to receive  
2 the contact report provided under paragraph B;

3 D. A description of the protocol the crisis intervention team or agency uses to  
4 communicate with the person in need of mental health crisis services or the guardian  
5 or family members of that person; and

6 E. A description of the procedures that will be used to convene on a quarterly basis  
7 multidisciplinary team meetings between the crisis intervention team or agency and  
8 the law enforcement agency to review the experiences of the parties to the  
9 memorandum of understanding and to discuss opportunities for improvement in the  
10 provision of services to persons in need of mental health crisis services.

11 **SUMMARY**

12 This bill requires the Department of Health and Human Services to provide assistance  
13 to crisis intervention teams and agencies that provide mental health crisis services and to  
14 law enforcement agencies to enable them to coordinate mental health crisis services. The  
15 bill sets July 1, 2018 as the date by which a crisis intervention team or agency must enter  
16 into and sign a memorandum of understanding with each law enforcement agency that  
17 provides law enforcement services in the area of the State served by the crisis  
18 intervention team or agency. The bill requires the memorandum of understanding to be  
19 effective for 3 years and to be renewed every 3 years. The memorandum of  
20 understanding must include descriptions of the following: the internal processes the law  
21 enforcement agency uses to identify a person in need of mental health crisis services; the  
22 protocol the law enforcement agency uses to share a contact report with a crisis  
23 intervention team or agency; the process the crisis intervention team or agency uses to  
24 receive the report; the protocol the crisis intervention team or agency uses to  
25 communicate with a person in need of mental health services or the guardian or family  
26 members of that person; and the procedures to be used to convene on a quarterly basis  
27 multidisciplinary team meetings to review experiences and discuss opportunities for  
28 improvement.