

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 966

H.P. 679

House of Representatives, March 9, 2017

An Act To Create Mental Health Liaison Positions in Each County Jail

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 MALABY of Hancock.
Cosponsored by Senator BRAKEY of Androscoggin and
Representatives: DILLINGHAM of Oxford, HANINGTON of Lincoln, HAWKE of Boothbay Harbor, HEAD of Bethel, KINNEY of Knox, PICKETT of Dixfield, SANDERSON of Chelsea, SIROCKI of Scarborough.

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

2 **Sec. 1. 34-B MRSA §1226** is enacted to read:

3 **§1226. County or regional jail mental health liaisons**

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

6 A. "Diversion plan" means a plan to reduce or eliminate the time a person with a
7 serious mental illness is incarcerated by redirecting the person from the criminal
8 justice system to community-based treatment and support.

9 B. "Mental health liaison" means a person who coordinates and oversees mental
10 health support and services for persons with serious mental illness in a county or
11 regional jail.

12 C. "Serious mental illness" means a mental illness, emotional impairment, substance
13 use disorder or developmental or learning disability that adversely affects the daily
14 functions of a person, as determined by a qualified mental health professional.

15 **2. Mental health liaisons.** The department shall contract with a private provider of
16 behavioral health services and advocacy to place a mental health liaison in every county
17 or regional jail under Title 30-A, chapter 13. The duties and responsibilities of a mental
18 health liaison include:

19 A. Overseeing of all persons detained at the jail who are evaluated for serious mental
20 illness under section 1219, subsection 2, paragraph B including:

21 (1) Connecting a person with a serious mental illness to services provided at the
22 county or regional jail;

23 (2) Developing a treatment plan for a person with a serious mental illness to be
24 implemented upon the person's release; and

25 (3) For a person with a serious mental illness who is incarcerated on a Class D or
26 Class E crime, developing a diversion plan.

27 B. Identifying any person detained at the county or regional jail who may be eligible
28 for services through MaineCare, completing an application for MaineCare coverage
29 with that person and confirming activation of MaineCare benefits or the continuation
30 of MaineCare benefits pursuant to Title 22, section 3174-CC prior to that person's
31 release from the county or regional jail; and

32 C. Working with the court system to ensure that all persons detained at the jail
33 identified as having a serious mental illness under section 1219, subsection 2,
34 paragraph B are provided due process and a speedy trial.

35 **Sec. 2. Department of Health and Human Services to replace intensive**
36 **case manager positions with privately contracted mental health liaisons.** The
37 Department of Health and Human Services shall issue a request for proposals for a
38 private provider of behavioral health services and advocacy to replace intensive case
39 manager positions within the department with 15 mental health liaisons under the Maine

1 Revised Statutes, Title 34-B, section 1226 to provide one mental health liaison for each
2 county or regional jail.

3

SUMMARY

4 This bill provides for a mental health liaison in each county or regional jail to oversee
5 inmates with serious mental illness and connect them to the services for which they
6 qualify, to work with the court system to ensure that they receive due process and speedy
7 trials and to assist inmates who qualify for MaineCare to apply for and receive
8 MaineCare benefits and services. This bill directs the Department of Health and Human
9 Services to issue a request for proposals to private providers of behavioral health services
10 and advocacy to replace intensive case manager positions within the department to staff
11 the 15 mental health liaison positions in the county and regional jails.