## MAINE STATE LEGISLATURE

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## 128th MAINE LEGISLATURE

## **SECOND REGULAR SESSION-2018**

**Legislative Document** 

No. 1889

H.P. 1321

House of Representatives, March 28, 2018

An Act To Increase Safety for Maine Citizens by Amending the Definition of "Likelihood of Serious Harm" in the Laws Governing Mental Health and Hospitalization To Include Consideration of a Person's Potential for Future Serious Harm

(AFTER DEADLINE)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 205.

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

ROBERT B. HUNT

R(+ B. Hunt

Clerk

Presented by Representative MALABY of Hancock.

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

- **Sec. 1. 34-B MRSA §3801, sub-§4-A, ¶D,** as enacted by PL 2009, c. 651, §4, is amended to read:
  - D. For the purposes of section 3873-A, in <u>In</u> view of the person's treatment history, current behavior and inability to make an informed decision, a reasonable likelihood that the person's mental health will deteriorate and that the person will in the foreseeable future pose a likelihood of serious harm as defined in <del>paragraphs</del> paragraph A, B or C.

9 SUMMARY

 Under current law, for the purpose of admission to a progressive treatment program a determination that a person poses a likelihood of serious harm takes into consideration the likelihood that a person's mental health will deteriorate and that the person will in the foreseeable future pose a likelihood of serious harm. This bill expands the definition of "likelihood of serious harm" to apply those same considerations for purposes other than admission to a progressive treatment program.