

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1602

S.P. 508

In Senate, April 18, 2019

Resolve, Establishing the Working Group on Mental Health

(EMERGENCY)

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

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BREEN of Cumberland.
Cosponsored by Representative WARREN of Hallowell and
Senators: CARPENTER of Aroostook, DESCHAMBAULT of York, GRATWICK of
Penobscot, Representatives: BAILEY of Saco, Speaker GIDEON of Freeport, HYMANSON
of York, MADIGAN of Waterville.

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,** this resolve establishes the Working Group on Mental Health to review
4 the State's mental health system and propose a mental health plan for the State; and

5 **Whereas,** community-based mental health services are the foundation for a healthy
6 Maine, and the State is currently housing too many people with behavioral health needs
7 in jails and emergency rooms; and

8 **Whereas,** the review must be initiated before the 90-day period expires in order that
9 the study may be completed and a report submitted in time for submission to the next
10 legislative session; and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
12 the meaning of the Constitution of Maine and require the following legislation as
13 immediately necessary for the preservation of the public peace, health and safety; now,
14 therefore, be it

15 **Sec. 1. Working group established. Resolved:** That the Working Group on
16 Mental Health, referred to in this resolve as "the working group," is established to review
17 the State's mental health system and propose a mental health plan for the State.

18 **Sec. 2. Working group membership. Resolved:** That, notwithstanding Joint
19 Rule 353, the working group consists of 11 members as follows:

20 1. Two members of the Senate appointed by the President of the Senate, one of
21 whom serves on the Joint Standing Committee on Health and Human Services and one of
22 whom serves on the Joint Standing Committee on Criminal Justice and Public Safety;

23 2. One member of the House of Representatives appointed by the Speaker of the
24 House who serves on the Joint Standing Committee on Judiciary;

25 3. One member representing consumers of mental health services appointed by the
26 Speaker of the House;

27 4. One member representing the National Alliance on Mental Illness Maine
28 organization appointed by the President of the Senate;

29 5. One member representing providers of homeless shelter services appointed by the
30 Speaker of the House;

31 6. One member representing hospitals in the State appointed by the President of the
32 Senate;

33 7. One member representing county sheriffs appointed by the Speaker of the House;

34 8. The Attorney General or the Attorney General's designee;

1 9. The Commissioner of Health and Human Services or the commissioner's designee;
2 and

3 10. The Commissioner of Corrections or the commissioner's designee.

4 The chairs of the working group shall invite the participation on the working group of
5 a representative of the Judicial Department.

6 **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate
7 chair and the first-named House of Representatives member is the House chair of the
8 working group.

9 **Sec. 4. Appointments; convening of working group. Resolved:** That all
10 appointments must be made no later than 30 days following the effective date of this
11 resolve. The appointing authorities shall notify the Executive Director of the Legislative
12 Council once all appointments have been completed. After appointment of all members,
13 the chairs shall call and convene the first meeting of the working group. If 30 days or
14 more after the effective date of this resolve a majority of but not all appointments have
15 been made, the chairs may request authority and the Legislative Council may grant
16 authority for the working group to meet and conduct its business.

17 **Sec. 5. Duties. Resolved:** That the working group shall review the State's mental
18 health system and propose a mental health plan for the State. As part of its review, the
19 working group shall examine:

20 1. Information on total state and federal dollars spent on children's and adult
21 behavioral health care as coded by Medicaid and where those dollars are currently spent;

22 2. Access to mental health care in the State, including issues associated with waiting
23 lists, geographic barriers to access and lack of adequate reimbursement to community-
24 based programs that prevents those programs from reaching optimum capacity;

25 3. The quality of outcomes;

26 4. The costs required to provide mental health services in emergency rooms,
27 inpatient settings, homeless shelters, jails and prisons as compared with the costs required
28 to provide mental health services such as medication management, daily living support,
29 peer support and other therapies provided in community-based settings;

30 5. An assessment of assets and deficits; and

31 6. The projected effect of MaineCare expansion on the provision of mental health
32 services.

33 Based on the information collected pursuant to this section, the working group shall
34 propose a mental health plan for the State.

35 **Sec. 6. Staff assistance. Resolved:** That the Department of Health and Human
36 Services shall provide necessary staffing services to the working group.

