

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 642

H.P. 473

House of Representatives, March 3, 2021

An Act To Ensure That Children Receive Behavioral Health Services

Received by the Clerk of the House on March 1, 2021. Referred to the Committee on Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative GRAMLICH of Old Orchard Beach.
Cosponsored by Representatives: MADIGAN of Waterville, PEBWORTH of Blue Hill,
WARREN of Hallowell, Senators: BALDACCI of Penobscot, MOORE of Washington.

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

2 **Sec. 1. 19-A MRSA §1653-B** is enacted to read:

3 **§1653-B. Parental rights and responsibilities; behavioral health services**

4 This section governs the provision of behavioral health services to a minor child when
5 one parent opposes treatment. Notwithstanding section 1651, if the parents of a minor child
6 are unable to agree on the provision of behavioral health services to the child, the parents
7 of the minor child shall participate in mediation with a 3rd party in a manner that is timely
8 to the minor child's situation. For purposes of this section, "behavioral health services"
9 means all treatment or other services to support a child's mental health, including substance
10 use disorder treatment.

11 This section does not apply to parents who have a court order establishing parental
12 rights and responsibilities under section 1653, subsection 2 if that order allocates decision
13 making among the parents regarding the provision of behavioral health services to the child
14 or otherwise addresses parental decision making related to behavioral health services.

15 **SUMMARY**

16 This bill provides that in the event one parent of a minor child opposes providing
17 behavioral health services to the child, the parents are required to enter mediation with a
18 3rd party in a manner that is timely to the minor child's situation.