

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

2 Date: 7/1/2)

(Filing No. S-383)

3 Reproduced and distributed under the direction of the Secretary of the Senate.

4 **STATE OF MAINE**
5 **SENATE**
6 **130TH LEGISLATURE**
7 **FIRST SPECIAL SESSION**

8 SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 490,
9 L.D. 663, "An Act To Make Comprehensive Substance Use Disorder Treatment Available
10 to Maine's Incarcerated Population"

11 Amend the amendment by inserting after the title the following:

12 'Amend the bill by striking out the title and substituting the following:

13 **'Resolve, Establishing a Comprehensive Substance Use Disorder Treatment Pilot**
14 **Program for Maine's Incarcerated Population' '**

15 Amend the amendment in the first indented paragraph after the title in the first line
16 (page 1, line 12 in amendment) by striking out the following: "enacting clause" and
17 inserting the following: 'title'

18 Amend the amendment by striking out all of sections 1 and 2 and inserting the
19 following:

20 **'Sec. 1. Comprehensive substance use disorder treatment pilot program.**

21 **Resolved:** That the Commissioner of Corrections shall establish and maintain a
22 comprehensive substance use disorder treatment pilot program, referred to in this resolve
23 as "the program," in all state correctional facilities. The program must include, but is not
24 limited to, screening, assessment and treatment of persons residing in state correctional
25 facilities for substance use disorder, including alcohol use disorder.

26 1. The program must include screening, assessment and treatment, including, but not
27 limited to, screening during the intake process, medically managed withdrawal,
28 medication-assisted treatment, individual and group counseling and other behavioral
29 treatment options. Medication-assisted treatment must use medications approved or
30 authorized by the United States Food and Drug Administration for the treatment of
31 substance use disorder including alcohol use disorder, including at least one of each
32 formulation of all United States Food and Drug Administration-approved medication-
33 assisted treatments for substance use disorder including alcohol use disorder and opioid use
34 disorder.

35 2. The program must provide initial and ongoing training and technical assistance for
36 correctional facility staff and health care practitioners in each correctional facility.

3. The program must include coordination with community-based treatment and recovery organizations to facilitate supportive reentry and continuity of care after release.

The Department of Corrections shall provide a report regarding the program to the Joint Standing Committee on Criminal Justice and Public Safety by January 30, 2022. The report must provide detailed information regarding an analysis of expenditures made by the department to establish and maintain a comprehensive substance use disorder program and information on the amount of funding remaining from the funds allocated in this resolve. The joint standing committee may report out a bill based on the report to the Second Regular Session of the 130th Legislature.

Sec. 2. Transfer of settlement funds; fiscal year 2021-22. Resolved: That, notwithstanding any provision of law to the contrary, on or before June 30, 2022, the State Controller shall transfer \$460,800 of the funds received pursuant to the multistate settlement agreement in *The Matter of State of Maine v. Boston Scientific Corporation* to the Department of Corrections, Correctional Medical Services Fund, Other Special Revenue Funds. Funds transferred pursuant to this section must be used solely for activities identified in the court decree and approved by the Attorney General.

Sec. 3. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Correctional Medical Services Fund 0286

Initiative: Provides a one-time allocation for comprehensive substance use disorder treatment in all state correctional facilities. Funding for this allocation is settlement funds transferred from the Department of the Attorney General.

OTHER SPECIAL REVENUE FUNDS	2021-22	2022-23
All Other	\$460,800	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$460,800	\$0

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment amends Committee Amendment "A" to make the bill a resolve establishing the Department of Corrections comprehensive substance use disorder treatment program as a pilot program, with a report to be made to the Joint Standing Committee on Criminal Justice and Public Safety, which may report out a bill to the Second Regular Session of the 130th Legislature, and with funding provided from the multistate settlement agreement in *The Matter of State of Maine v. Boston Scientific Corporation*.

SPONSORED BY:

(Senator BREEN, C.)

COUNTY: Cumberland

FISCAL NOTE REQUIRED
(See attached)



Approved: 07/01/21 *MRC*

130th MAINE LEGISLATURE

LD 663

LR 963(05)

An Act To Make Comprehensive Substance Use Disorder Treatment Available to Maine's Incarcerated Population

Fiscal Note for Senate Amendment "A" to Committee Amendment "A" (S.383)

Sponsor: Sen. Breen of Cumberland

Fiscal Note Required: Yes

Fiscal Note

	FY 2021-22	FY 2022-23	Projections FY 2023-24	Projections FY 2024-25
Net Cost (Savings)				
General Fund	(\$460,800)	(\$460,800)	(\$460,800)	(\$460,800)
Appropriations/Allocations				
General Fund	(\$460,800)	(\$460,800)	(\$460,800)	(\$460,800)
Other Special Revenue Funds	\$460,800	\$0	\$0	\$0
Transfers				
Other Special Revenue Funds	\$460,800	\$0	\$0	\$0
Private Trust Funds	(\$460,800)	\$0	\$0	\$0

Fiscal Detail and Notes

This amendment removes ongoing General Fund appropriations to the Department of Corrections of \$460,800 beginning in fiscal year 2021-22. The amendment also adds Other Special Revenue Funds allocations to the Department of Corrections in fiscal year 2021-22 only to establish and maintain a comprehensive substance use disorder treatment program in all state correctional facilities. The allocation is funded by settlement funds transferred from the Office of the Attorney General to the Department of Corrections.