

# MAINE STATE LEGISLATURE

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# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

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Legislative Document

No. 1993

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H.P. 1479

House of Representatives, February 16, 2022

### **An Act To Establish a Progressive Treatment Program Monitor**

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Reported by Representative MEYER of Eliot for the Joint Standing Committee on Health and Human Services pursuant to Resolve 2021, chapter 60, section 3.

Reference to the Committee on Health and Human Services suggested and ordered printed pursuant to Joint Rule 218.

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

ROBERT B. HUNT  
Clerk

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

2 **Sec. 1. 34-B MRSA §3873-A, sub-§11** is enacted to read:

3 **11. Progressive treatment program monitor.** The commissioner shall designate a  
4 progressive treatment program monitor within the department. The duties of the monitor  
5 include, but are not limited to, the following:

6 A. Developing and delivering standardized training to progressive treatment program  
7 stakeholders, including but not limited to hospitals, ACT teams and members of law  
8 enforcement. The training must include the following:

9 (1) A review of the requirements of this section;

10 (2) Information on assisting private hospitals in the initiation of progressive  
11 treatment programs;

12 (3) Information on identifying appropriate progressive treatment program  
13 candidates;

14 (4) Information on establishing enforceable progressive treatment program goals,  
15 with a focus on known risks for developing psychiatric decompensation; and

16 (5) Instruction that progressive treatment program enforcement is focused on  
17 previously established, judicially endorsed goals;

18 B. Ensuring that patients' rights are maintained, that progressive treatment programs  
19 are based on adequate risk assessment and that treatment is appropriate and  
20 coordinated;

21 C. Collecting and reviewing data on progressive treatment program outcomes  
22 statewide; and

23 D. Making recommendations to the Legislature regarding needed changes to this  
24 section and submitting an annual report regarding progressive treatment programs to  
25 the joint standing committee of the Legislature having jurisdiction over health and  
26 human services matters.

27 **Sec. 2. Renewal of progressive treatment program.** The Department of Health  
28 and Human Services shall establish mechanisms to ensure that an existing progressive  
29 treatment program can be maintained during an involuntary hospitalization pursuant to the  
30 Maine Revised Statutes, Title 34-B, chapter 3, subchapter 4, article 3 or to ensure that an  
31 existing progressive treatment program can be expeditiously renewed or amended  
32 following such a commitment, if the commitment is determined to be clinically appropriate,  
33 necessary to maintain safety and in accordance with patient rights. By November 1, 2023,  
34 the department shall make recommendations to the joint standing committee of the  
35 Legislature having jurisdiction over health and human services matters with any suggested  
36 legislation necessary to achieve the requirements of this section.

37 **SUMMARY**

38 This bill establishes a progressive treatment program monitor position within the  
39 Department of Health and Human Services. The monitor's duties include developing and  
40 delivering standardized training to progressive treatment program stakeholders; ensuring  
41 that patients' rights are maintained, that progressive treatment programs are based on

1 adequate risk assessment and that treatment is appropriate and coordinated; collecting and  
2 reviewing data on progressive treatment program outcomes statewide; and submitting  
3 recommendations to the Legislature regarding needed changes to laws governing the  
4 progressive treatment program. The bill also directs the department to establish  
5 mechanisms by which an existing progressive treatment program can be maintained during  
6 an involuntary hospitalization ordered by a court or by which an existing progressive  
7 treatment program can be expeditiously renewed or amended following such a  
8 commitment, if determined clinically appropriate, necessary to maintain safety and in  
9 accordance with patient rights. By November 1, 2023, the department must make  
10 recommendations to the joint standing committee of the Legislature having jurisdiction  
11 over health and human services matters with legislation necessary to achieve these goals.