

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

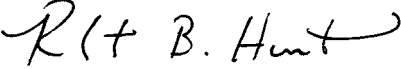
No. 1439

H.P. 935

House of Representatives, March 30, 2023

An Act to Promote Family-centered Interventions for Substance Use Disorder Treatment

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


ROBERT B. HUNT
Clerk

Presented by Representative MADIGAN of Waterville.
Cosponsored by Senator FARRIN of Somerset and
Representatives: GRAMLICH of Old Orchard Beach, PERRY of Calais, SAYRE of
Kennebunk, SHAGOURY of Hallowell, STOVER of Boothbay, SUPICA of Bangor.

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

2 **Sec. 1. 5 MRSA §20056** is enacted to read:

3 **§20056. Substance use disorder intervention services**

4 An authorized person may request an intervention with a hospital or treatment program
5 in accordance with this section.

6 **1. Definitions.** As used in this section, unless the context otherwise indicates, the
7 following terms have the following meanings.

8 A. "Authorized person" means a family member, friend or guardian of the person in
9 need of treatment who requests or has requested an intervention.

10 B. "Intervention" means a meeting facilitated by a licensed substance use disorder
11 professional with the authorized person, person in need of treatment and any other
12 relevant persons to discuss concerns about the substance use of the person in need of
13 treatment including the need to enter treatment.

14 C. "Licensed substance use disorder professional" means a person licensed under Title
15 32, chapter 31, 36, 48, 56, 81, 83 or 119 with experience treating persons with
16 substance use disorder.

17 D. "Peer recovery coach" means a person recovering from substance use disorder who
18 is trained to provide peer mentoring and coaching to a person with substance use
19 disorder.

20 E. "Person in need of treatment" means a person with substance use disorder for whom
21 treatment under this section is sought.

22 **2. Intervention; facilitated meeting.** When an authorized person requests an
23 intervention for a person in need of treatment who is hospitalized, the hospital shall offer
24 an intervention or treatment program services while the person in need of treatment is a
25 patient in the hospital or awaiting treatment in an emergency department. The hospital
26 shall also organize an intervention meeting facilitated by a licensed substance use disorder
27 professional with experience in facilitating interventions. The intervention must include
28 the person in need of treatment, authorized person, a peer recovery coach and family
29 members or friends of the person in need of treatment. The licensed substance use disorder
30 professional may meet with the authorized person and family members or friends of the
31 person in need of treatment about how to make the intervention successful.

32 **3. Recommendations by licensed substance use disorder professionals.** The person
33 in need of treatment must be examined by 2 licensed substance use disorder professionals,
34 one of whom must be a physician licensed under Title 32, chapter 36 or 48. The
35 examination must consist of:

36 A. Separate meetings with the person in need of treatment, authorized person and
37 family members or friends of the person in need of treatment;

38 B. The review and consideration of the person in need of treatment's co-occurring
39 medical and mental health diagnoses;

40 C. An assessment of the person in need of treatment's safety and treatment needs; and

1 D. Referrals to recovery support services in the person in need of treatment's
2 community.

3 The licensed substance use disorder professionals shall submit their findings and
4 recommendations to the person in need of treatment. The recommendations must include
5 the type, scope and duration of treatment appropriate for the person in need of treatment
6 and information on how to access those services.

7 **4. Services provided; hospitals.** A hospital shall do the following when a person with
8 substance use disorder is admitted as an inpatient for the treatment of substance use disorder
9 or a medical issue related to substance use disorder:

10 A. Offer information to authorized persons and family members or friends about how
11 to access the intervention services recommended in subsection 3;

12 B. Follow up with persons with substance use disorders who are among the most
13 frequent 10% of inpatient admissions for substance use disorder, or cause a follow-up
14 to be conducted by the department, to discuss options for treatment with the individual;

15 C. Request information from the authorized person and family members or friends to
16 assess the ability of the person in need of treatment to adequately perform self-care
17 when medical issues impact brain or other bodily function; and

18 D. Develop discharge plans that include the authorized person and family members or
19 friends when there are unresolved medical issues, including those associated with
20 substance use disorder or detoxification. The discharge plans must include home
21 health service referrals when appropriate.

22 **5. Services providers; substance use disorder treatment; detoxification.** A
23 substance use disorder treatment provider or provider of detoxification services that
24 receives any reimbursement from MaineCare or state-funded contracts shall provide
25 intervention services as described in this section, coordinate family support groups and
26 provide them with educational resources and refer persons in need of treatment to
27 appropriate services.

28 **6. Department requirements; identification of providers; training.** The Office of
29 Behavioral Health within the department shall identify providers of substance use disorder
30 intervention services and provide a list to hospitals, substance use disorder treatment
31 providers, providers of detoxification services, authorized persons, persons in need of
32 treatment and any other person who requests such a list. The department shall also
33 coordinate opportunities for training to become a provider of intervention services. A
34 provider of intervention services may be a licensed substance use disorder professional,
35 licensed social worker, peer recovery coach or other person with experience and training
36 in providing interventions and family engagement that the department determines
37 appropriate.

38 **7. Public awareness.** A hospital licensed under Title 22, chapter 405 shall post
39 information in its emergency department about how individuals with substance use disorder
40 can access services and how an authorized person can request an intervention as described
41 in this section. The department shall adopt rules to implement this subsection no later than
42 January 1, 2024. Rules adopted pursuant to this subsection are routine technical rules as
43 defined in chapter 375, subchapter 2-A.

SUMMARY

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This bill establishes a process to connect individuals with substance use disorder with treatment services and connect family members and friends with supportive services. It requires the Department of Health and Human Services to develop a list of providers of substance use disorder services and identify options for coordinating training of potential providers. It requires hospitals to respond to requests for interventions from family members or friends of a person with substance use disorder. It requires a hospital to post information in its emergency department. It requires hospitals to offer services, follow up with individuals who frequently require admission for substance use disorder, request input from family members about the ability of the person to perform self-care and develop discharge plans with appropriate services.