

# MAINE STATE LEGISLATURE

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## REPORT TO THE LEGISLATURE

**TO:** Joint Standing Committee on Health and Human Services  
**FROM:** Maine Department of Health and Human Services  
**DATE:** March 30, 2023  
**RE:** Report pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services To Update the Rights of Recipients of Mental Health Services*

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The Maine Department of Health and Human Services (DHHS) is submitting this report, pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services To Update the Rights of Recipients of Mental Health Services*. This resolve requires the department to submit reports every 6 months until provisional rule changes are adopted.

### **Progress Since Last Report**

DHHS submitted a workplan to the Joint Standing Committee in September 2022. Since then, staff from the Office of the Attorney General has been carefully reviewing the current rules impacting the rights of child and adult recipients of mental health services and potential types of updates, such as modifications to accord with current statutes and DHHS organizational structures. Concurrently, an internal working group of DHHS staff is meeting monthly to design an approach to stakeholder engagement and will share a more detailed update on the approach and discussions in the next submitted report. On the following page, the workplan that was submitted with the last report is included and updated, with completed activities noted as such.

## DHHS Workplan

Timeframe	Activity Benchmark	Complete?
September 2022	DHHS commences planning and preparation activities for rule development and stakeholder engagement	✓
Winter 2023	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	✓
March/April 2023	DHHS provides notice on stakeholder engagement process and solicits input	
May 2023 – December 2023	<p>Stakeholder Engagement Activities</p> <ul style="list-style-type: none"> <li>• <i>May 2023 Stakeholder Survey Distributed</i> <ul style="list-style-type: none"> <li>○ Surveys distributed to stakeholders for initial comments and feedback:           <ul style="list-style-type: none"> <li>▪ Survey 1: Rights of recipients for adults</li> <li>▪ Survey 2: Rights of recipients for children</li> </ul> </li> <li>○ Survey results compiled</li> </ul> </li> <li>• <i>July – December 2023 Stakeholder Listening Sessions</i> <ul style="list-style-type: none"> <li>○ Stakeholder listening sessions launched with population-specific tracks and listening sessions will include feedback and comments captured in the survey. Tracks to run concurrently.</li> <li>○ Track 1: Two to four sessions hosted by Office of Behavioral Health (OBH) for rights of recipients for adults</li> <li>○ Track 2: Two to four sessions hosted by and Office of Child and Family Services (OCFS) for rights of recipients for children</li> </ul> </li> </ul>	
July 2023	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
January 2024	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	

<b>January 2024 – March 2024</b>	DHHS rule drafting
<b>April – July 2024</b>	OAG Pre-review of proposed rule drafts; DHHS final revisions to proposed rule drafts; Commissioner review of proposed rule drafts
<b>July 2024</b>	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services
<b>August – December 2024</b>	DHHS proposes major substantive rules on or about August 1, 2024; noticing; public hearing, comment period and final review by OAG
<b>December 2024</b>	Commissioner provisionally adopts major substantive rules
<b>January 2025</b>	DHHS submits provisionally adopted rules to Legislature for major substantive review