

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
KENNEBEC, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. CV-89-088

PAUL BATES, et al.,

Plaintiffs

v.

COMMISSIONER,  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES, et al.,

Defendants

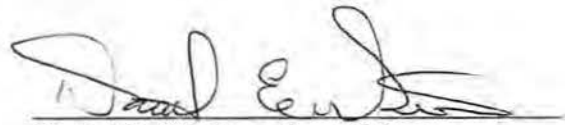
COURT MASTER'S  
SUPPLEMENTAL PROGRESS  
REPORT PURSUANT TO  
PARAGRAPH 299

The following supplements the report issued February 28, 2016. The Department has posed no objection to recommendations numbered 1, 2, 3, and 6 relating to Riverview Psychiatric Center. Thus the recommendations have become final and binding, and in fact are in various stages of implementation. The single recommendation relating to the community mental health program has similarly become final and binding and is in the process of implementation. The department invoked informal dispute resolution pursuant to Paragraph 294 with respect recommendations 4 and 5 relating to Riverview Psychiatric Center. Recommendation 4 provided as follows: "I recommend that the staffing ratio for mental health workers be adjusted to require the assignment of an additional mental health worker if one to one staffing by a mental health worker is mandated for a client on the unit." As a result of meeting with counsel and the Department, it is agreed that this recommendation will be deferred until August 1, 2016 to permit the Department to receive at least the initial results of an acuity based staffing model being prepared by a consultant.

Recommendation 5 provided as follows: "I recommend that mental health workers attend treatment team meetings for the clients they work with and that acuity specialists attend whenever appropriate. Current and relevant portions of the treatment plans, such as interventions should be made available to mental health workers." As a result of meeting with counsel and the Department, it is agreed that the recommendation, amended to read as follows, will be final and binding:

I recommend that the mental health workers who are most familiar with the patients be invited by the charge nurse on the unit to attend at least the initial portion of the treatment team meetings for those patients in order to provide input and observations, and that acuity specialists be invited to attend whenever it is deemed appropriate by the charge nurse. Current and relevant portions of the treatment plans, such as interventions, shall be maintained on the unit and reviewed with the charge nurse by the mental health workers assigned to those patients.

Dated: March 15, 2016



Daniel E. Wathen, Court Master