

Drafter: JPS
Date: February 4, 2020, 2020
File: G:\COMMITTEES\CJPS\BILLDRFT\129th 2nd\LD 1295 proposed amendment (2)
1.22.2020.docx
Sponsor: Representative Talbot Ross

**Proposed Committee Amendment to LD 1295,
An Act to Determine the Need to Increase the Number of Forensic Emergency and Crisis Beds**

Provide a new title: An Act to Establish Two Pilot Mental Health Receiving Centers.

- **Create a State Action Plan for Immediate Needs.** Each prosecutorial district must establish a committee to develop a plan for how criminal or civil cases for individuals with immediate mental health needs can move forward with the least amount of delay and in coordination with those who will help them receive treatment. The committee must make recommendations in accordance with national best practice guidelines for those with mental illness. The committee must be comprised of, at a minimum, one prosecutor and one defense attorney, and must meet on a regular basis, but not less than once a month. The committee has the authority to establish a mental health docket within that prosecutorial district.
- **Create a Pilot Program to Assist Those with Mental Health Issues.** The Department of Public Safety and the Department of Health and Human Services will collaborate and establish 3 pilot mental health receiving centers, one in Kennebec County,¹ one in Cumberland County and one in Penobscot County, to divert from arrest persons who have come into contact with law enforcement as a result of experiencing a mental health crisis but who are not under arrest.
- **The mental health receiving center** will be ready to provide the following services 7 days a week, 24 hours a day:
 - Trained peer support throughout the person's utilization of the receiving center and including a follow-up phone call within 24 hours of the person leaving the center to learn if the person requires further support or assistance;
 - De-escalation assistance;
 - Clinical assessment;
 - Medication management; and
 - Resource identification.
- **Upon arrival at the mental health receiving center** a person will have available the following assistance:
 - Consultation with and assistance from a trained peer support specialist who will assist with the receiving center process;
 - Assessment by a licensed clinician;
 - Consultation with a psychiatric nurse practitioner, including assessment and treatment plan suggestions upon completion of the assessment;

¹ Kennebec County Data shows that this county may have the highest rates cases involving individuals of incompetence to stand trial.

- Immediate access to appropriate prescribed medications; and
 - Review and discussion of options identified by the person and their assisting staff.
- **Within 24 hours of arrival at the mental health receiving center** a person will have available the following assistance:
 - Connections to appropriate services and supports as appropriate: returning home with referrals to community supports, and appropriate prescribed medications sufficient for treatment until community-based care is available or for 30 days;
 - Connection to a crisis stabilization unit for a stay of 3 to 5 days as necessary; and
 - If determined to be absolutely necessary, referral to inpatient level care.