



**Maine State Legislature
Office of Policy and Legal Analysis**

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OFFICE OF POLICY AND LEGAL ANALYSIS

Date: March 5, 2020

To: Joint Standing Committee on Health & Human Services

From: Erin Dooling, Esq., Legislative Analyst

LD 803 An Act To Create 4 Regional Mental Health Receiving Centers

SUMMARY OF ORIGINAL BILL: This bill establishes 4 crisis intervention centers regionally throughout the State that will be operated and maintained by the Department of Health and Human Services. It requires the crisis intervention centers to provide treatment 24 hours a day, 7 days a week and to provide sufficient staffing. It provides that the Department of Health and Human Services must adopt rules that include the certification of the crisis intervention centers; the location of the crisis intervention centers to ensure regional accessibility throughout the State; admission and discharge standards; requirements for notice of a person's admission; availability of and patients' access to treatment; the staffing model, with specific descriptions of staffing levels, roles and responsibilities; and patient rights protections; and that, to the extent possible, the rules must be consistent with the Maine Revised Statutes, Title 5, chapter 511; Title 34-B, chapter 1, subchapter 8; and Title 34-B, chapter 3, subchapter 4.

SUMMARY OF SPONSOR'S PROPOSED AMENDMENT:

Sec. 1: Statewide crisis line and the statewide intentional warm line

- Appropriates \$45,469 GF beginning FY 20-21 in order to staff the two lines 24 hours/day, 7 days/week
 - Increased funding is intended to provide “effective, efficient services in the least restrictive manner”
- Directs DHHS to work with law enforcement officers to ensure that the two lines are effective resources [Note: *Is funding in this appropriation intended to include these activities?*]
- Directs DHHS to work with DOL to access grant funding to provide training and workforce development for mental health peer support specialists providing services on the two lines [Note: *Is funding in this appropriation intended to include these activities?*]

Sec. 2: Mental health crisis intervention mobile response services

- Appropriates the following GF beginning FY 20-21 in order to provide services 24 hours/day, 7 days/week:
 - \$808,256 for mobile outreach peer workers
 - \$406,044 for certified intentional peer support specialists and recovery coaches
 - \$554,922 for mental health police liaisons co-located in law enforcement agencies
 - \$113,674 for community debriefing and critical incident response

- \$470,610 for mental health police liaisons co-located in law enforcement agencies and mental health professionals with crisis services expertise at 911 dispatch centers [Note: How does this appropriation for mental health police liaisons relate to the one for \$554,922?]
- \$636,575 for ancillary services that are required components of mental health crisis intervention mobile response services, including travel costs, travel time, and telephone conferences
- Directs DHHS, beginning 10/1/20, to include in contracts with mental health crisis intervention mobile response services the “mechanism of cost settlement” [Note: Should this be its own section?]
- Directs DHHS, beginning 10/1/20, to provide reimbursement for peer support services provided as mental health intervention mobile response services under MaineCare [Note: If this is intended as an ongoing coverage requirement it should be in statute with unallocated language directing DHHS to develop the rate.]

Sec. 3: Mental health crisis stabilization unit services

- Appropriates \$1,265,753 GF beginning FY 20-21 in order to provide services 24 hours/day, 7 days/week
 - Must provide funding for certified intentional peer support specialists and recovery coaches as part of crisis stabilization unit services [Note: Is “other such resources and services” sufficiently clear?]
 - Must provide funding for other resources and services as are determined to be needed in each public health district [Note: Is “resources and services” sufficiently clear?]
- Directs DHHS to work with organizations providing crisis stabilization services, law enforcement and other stakeholders to determine the resources available in each public health district and the resources and services needed
- Directs DHHS, beginning 10/1/20, to provide reimbursement for peer support services provided as mental health crisis stabilization unit services under MaineCare [Note: If this is intended as an ongoing coverage requirement it should be in statute with unallocated language directing DHHS to develop the rate.]

Sec. 4: Public education

- Appropriates \$100,000 GF beginning FY 20-21 in order to provide funding for a statewide public education campaign
- Directs DHHS to undertake a statewide public education campaign to educate the public about the availability of mental health services peer support, crisis line, crisis intervention mobile response and crisis stabilization unit services and the means by which members of the public and law enforcement agencies may access those services [Note: Should the intentional warm line be included here too?]

OTHER SUGGESTED AMENDMENTS FROM TESTIMONY:

- *Jenna Mehnert (NAMI)*: Fund the Crisis Intervention Team program

ADDITIONAL INFORMATION REQUESTED BY COMMITTEE:

- *Submitted to DHHS:*
 - How much has been spent on crisis services and the number of people served for the past ten years?
 - Did the number of people served change from before and after this change?
 - Did the amount spent change before and after this date?
- Information on how the Sponsor arrived at the appropriations proposed in the bill
- Amount of funding for the county jails
- List of mental health bills on the Appropriations Table important to the Alliance of Addiction and Mental Health Services of Maine

FISCAL IMPACT: Not yet determined.

LD803

Budget for Proposed Amendment - Submitted by Rep Warren

Section	Description	Statewide	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	Total
1	Warm Line & Crisis Line Funds	\$ 45,469									\$ 45,469
2	Mobile Outreach Peer Workers		\$ 73,165	\$ 150,750	\$ 104,592	\$ 38,792	\$ 177,757	\$ 105,083	\$ 67,765	\$ 90,352	\$ 808,256
2	Crisis Peer Navigator/Recovery Coach		\$ 36,756	\$ 75,732	\$ 52,544	\$ 19,488	\$ 89,300	\$ 52,791	\$ 34,043	\$ 45,390	\$ 406,044
2	Mental Health Police Liaison		\$ 50,233	\$ 103,500	\$ 71,809	\$ 26,634	\$ 122,042	\$ 72,147	\$ 46,524	\$ 62,033	\$ 554,922
2	Critical Incident Stress Debriefing		\$ 10,290	\$ 21,202	\$ 14,710	\$ 5,456	\$ 25,000	\$ 14,779	\$ 9,530	\$ 12,707	\$ 113,674
2	911 Dispatch		\$ 42,600	\$ 87,775	\$ 60,899	\$ 22,587	\$ 103,500	\$ 61,185	\$ 39,456	\$ 52,608	\$ 470,610
2	Ancillary Funds		\$ 57,625	\$ 118,730	\$ 82,376	\$ 30,552	\$ 140,000	\$ 82,762	\$ 53,370	\$ 71,160	\$ 636,575
3	Crisis Stabilization Unit Peer Staff		\$ 114,580	\$ 236,078	\$ 163,794	\$ 60,750	\$ 278,374	\$ 164,563	\$ 106,120	\$ 141,494	\$ 1,265,753
4	Public Education Campaign	\$ 100,000									\$ 100,000
	Total	\$ 145,469	\$ 385,249	\$ 793,767	\$ 550,724	\$ 204,259	\$ 935,973	\$ 553,310	\$ 356,808	\$ 475,744	\$ 4,401,303

Dooling, Erin

From: Dooling, Erin
Sent: Wednesday, March 4, 2020 8:14 AM
To: Legislature: Committee on Health and Human Services
Cc: Warren, Charlotte
Subject: LD 803 jail funding #s

Good morning,
Please see the information from the budget of the county jails, as requested by the Committee. This is related to LD 803, which is scheduled for work session tomorrow afternoon.

Erin

From: Ferguson, Scott <Scott.Ferguson@maine.gov>
Sent: Wednesday, February 26, 2020 7:45:43 AM
To: repcharlottewarren@gmail.com <repcharlottewarren@gmail.com>
Cc: Dooling, Erin <erin.dooling@legislature.maine.gov>; Broome, Anna <anna.broome@legislature.maine.gov>; Orbeton, Jane <jane.orbeton@legislature.maine.gov>
Subject: RE: Get budget #s for HHS

Representative Warren,

As requested.

The 2020 County Jail total is what was reported in CRAS, however I was unable to get Personal Services and All Other from the system at this time (I will have to talk to OIT).

I approximated the numbers for the 2020 Budget, I am confident that they are fairly close.

The 2019 Actuals are correct as reported and are probably more relevant in reflecting actual performance.

2020 Budget	MDOC	County Jails **
Personal Services	117,349,072	59,956,709
All Other *	74,762,358	30,380,395
Capital	1,909,578	
Total *	194,021,008	90,337,104
<i>* includes State County Jail Support</i>	<i>18,442,104</i>	
2019 Actuals	MDOC	County Jails **
Personal Services	111,316,162	59,723,172
All Other *	71,976,077	30,262,061
Capital	1,242,788	
Total *	184,535,027	89,985,233
<i>* includes State County Jail Support</i>	<i>18,442,104</i>	
** CRAS – County Reported		

Please let me know if you have any questions, or need additional information.

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STATE OF MAINE
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE
COMMITTEE ON HEALTH AND HUMAN SERVICES

March 27, 2018

Mr. Ricker Hamilton, Commissioner
Department of Health and Human Services
221 State St.
Augusta, ME 04333

Dear Mr. Hamilton,

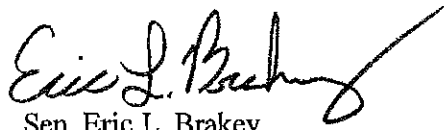
We are writing to request that the Department of Health and Human Services convene a stakeholder group to explore options for how the State could seek Medicaid reimbursement for peer support services. It is our understanding that the majority of states in the U.S. reimburse for peer support services in some form.

The Health and Human Services has had a number of bills in the last few years surrounding peer support services, including payment methods for peer centers, reimbursement levels, RFPs for existing peer centers, RFPs for new peer centers, and the content and availability of training for peers. We understand that peer support services are a critical piece of the landscape of mental health services. We know that this is also the view of the department.

We request that the stakeholder group convened be comprised primarily of stakeholders from the peer community, including the Consumer Council System of Maine, as well as other stakeholders that the Department believes can bring value to the group. We also ask that you report to us, no later than January 30, 2019, with the findings of the stakeholder group. The Committee would like to be apprised of progress on Medicaid reimbursement that the group makes and we offer any assistance regarding legislation that may be necessary.

Thank you for your attention to this important issue. Please let us know if you have any questions.

Sincerely,


Sen. Eric L. Brakey
Senate Chair


Rep. Patricia Hymanson
House Chair

cc: Members, Health and Human Services Committee
Sheldon Wheeler, Director of Substance Abuse and Mental Health Services, DHHS
Julian Baer, Director of Government Relations and Policy, DHHS