

MaineHealth

MaineHealth Local Health Systems

Franklin Community
Health Network
LincolnHealth
MaineHealth Care At Home
Maine Behavioral Healthcare
Memorial Hospital
Maine Medical Center
Mid Coast-Parkview Health
NorDx
Pen Bay Medical Center
Southern Maine Health Care
Waldo County General Hospital
Western Maine Health

Part of the MaineHealth Family

MaineHealth Accountable
Care Organization

MaineHealth Affiliates

MaineGeneral Health
New England Rehabilitation
Hospital of Portland
St. Mary's Health System

Testimony of Sarah Calder, MaineHealth In Support of LD 1993, “An Act to Establish a Progressive Treatment Program Monitor” & LD 1994, “An Act to Establish the Progressive Treatment Program Fund” Tuesday, March 1, 2022

Senator Claxton, Representative Meyer and distinguished members of the Joint Standing Committee on Health and Human Services, I am Sarah Calder, Director of Government Affairs at MaineHealth, and I am here to testify in support of LD 1993, "An Act to Establish a Progressive Treatment Program Monitor."

MaineHealth is an integrated non-profit health care system that provides the full continuum of health care services to the residents of eleven counties in Maine and one in New Hampshire. As part of our mission of “Working Together So Maine’s Communities are the Healthiest in America,” MaineHealth, which includes Maine Behavioral Healthcare, is committed to creating a seamless system of behavioral healthcare across Maine, coordinating hospital psychiatric care with community-based treatment services, and better access to behavioral healthcare through integration with primary care services.

The two bills before you today are a product of a robust conversation the Progressive Treatment Program (PTP) stakeholder group engaged in during the fall and winter of last year. The conversation illuminated the fact that PTPs are underutilized across the state for a variety of reasons, and that the interpretation of the existing PTP statute by stakeholders varies significantly.

LD 1993 represents an area of consensus among the stakeholder group and creates a PTP monitor within the Department of Health and Human Services. The creation of a monitor will help ensure that stakeholders are, in fact, interpreting the PTP statute uniformly by providing standardized training.

We would urge the Committee, however to amend the duties of the monitor to include information on mechanisms available to enforce PTPs. A PTP has the potential to end the negative cycle of medication or treatment non-compliance and subsequent deterioration, but the discussions of the PTP stakeholder group revealed that there is much uncertainty and confusion about the mechanisms available to enforce this powerful tool.

We would also encourage this Committee to include another consensus item to this legislation, which was to clarify that PTP plans can be renewed more than

once on an annual basis when appropriate. Specifically, Sec. 1. 34-B MRSA §3873-A, sub-§9:

9. Motion to dissolve, modify or extend. *For good cause shown, any party to the application may move to dissolve or modify an order or to extend the term of the treatment plan for an additional term of up to one year.*

The conversation also revealed something we have long known – that the majority of PTPs are filed by Dorothea Dix or Riverview due to the burden of obtaining legal representation and the associated legal costs to bring forward and maintain a PTP and execute a “Green Paper.” For that reason, we are supportive of LD 1994, but we strongly believe that a standardized process for bringing forth a PTP to the Court from a non-State mental health institution should be developed next Session, identical to the process used for court ordered hospitalization, or a “White Paper.”

As this Committee grapples with the tragedy of individuals with behavioral health needs stuck in hospital emergency departments for days and weeks, it has never been more evident that we must utilize every tool available to ensure that people receive the care they need in the community and in the least restrictive and appropriate setting. These bills take an important step forward to ensuring that the needs of our most vulnerable are met, and we look forward to working with 131st Legislature to bring the other recommendations included in the PTP stakeholder report forward next Session.

Thank you and I would be happy to answer any questions you may have.