

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

—
H.P. 505 - L.D. 693

An Act To Make the Pilot Program Providing Mental Health Case Management Services to Veterans a Permanent Program

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation makes permanent the pilot program to provide case management services to veterans for mental health care established by Resolve 2017, chapter 24; and

Whereas, this legislation must take effect before the expiration of the 90-day period to ensure continued case management services are provided without interruption after the pilot program ends; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §1833 is enacted to read:

§1833. Referral of veterans

1. Screening. A hospital licensed under this chapter shall screen all patients presenting for emergency care at the hospital's emergency department regarding whether or not the patient has prior service in the military. This information must be added to the hospital's patient data management system.

2. Referral. If a patient presenting for emergency care at the emergency department of a hospital licensed under this chapter identifies as having prior service in the military under subsection 1, the hospital shall, at a minimum, provide the patient with the following information and document the provision of this information in the hospital's patient data management system:

A. Contact information for the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services. The hospital shall inform the

patient that the bureau may be able to assist the patient with accessing state and federal veterans benefits; and

B. A copy of a benefits and resource guide for veterans seeking emergency care made available on the publicly accessible website of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services.

Sec. 2. 34-B MRSA c. 3, sub-c. 7 is enacted to read:

SUBCHAPTER 7

MENTAL HEALTH CASE MANAGEMENT SERVICES FOR VETERANS

§3911. Mental health case management services for veterans

The department shall provide contracted case management services to provide necessary mental health treatment to veterans who are residents of the State. Case management services must include assisting veterans in accessing a range of mental and behavioral health services, which must include inpatient mental health care services as clinically required. The department, with the assistance of the Department of Defense, Veterans and Emergency Management, Maine Bureau of Veterans' Services, referred to in this subchapter as "the bureau," shall identify regions of the State where case management services are most needed and identify veterans seeking case management services who are enrolled with the United States Department of Veterans Affairs and those who would likely be eligible to be enrolled.

1. Coordination. The department, with the assistance of the bureau, shall seek to coordinate services with the United States Department of Veterans Affairs and state agencies that offer mental health care services or provide assistance to veterans.

2. Regional contracts. The department may enter into regional contracts, including a contract with a provider that has experience providing services in the northern part of the State, for the purpose of ensuring a statewide network of case management that provides coordinated mental health care services for veterans living in the State, including, but not limited to, inpatient treatment as clinically required. Contracted providers shall, at a minimum, connect each individual referred to the provider for case management services with a veteran service officer at the bureau, who shall assist the individual in accessing the state and federal veterans benefits to which the individual may be entitled.

3. Eligibility. An individual who served in the Armed Forces of the United States and meets the definition of "veteran" under 38 Code of Federal Regulations, Section 3.1 or who has served or is currently serving in the Maine Army National Guard or Air National Guard or the Reserves of the Armed Forces of the United States is eligible to receive services under this subchapter. The character of a veteran's discharge from service is not a disqualifying eligibility criterion to receive services under this subchapter. A veteran who has received a mental health diagnosis or mental health disability rating from the United States Department of Veterans Affairs is eligible to receive services under this subchapter. A veteran who is not enrolled with the United States Department of Veterans Affairs who is determined to require mental health care services by a licensed mental health professional may be considered eligible for case management and other behavioral health services under this subchapter based on the individual needs of the veteran. The department, with the

assistance of the bureau, shall establish criteria to determine eligibility for case management services to be provided under this subchapter.

4. Enrollment. The bureau shall work to assist veterans receiving case management services under this subchapter who are not enrolled with the United States Department of Veterans Affairs to determine eligibility and to assist with those veterans' enrollment and with filing claims to the United States Department of Veterans Affairs.

5. Cultural competency. Case management and mental health professionals selected to provide services pursuant to this subchapter must demonstrate familiarity with military and veteran culture.

6. Data collection. All veterans receiving case management and mental health services under this subchapter must be accounted for in department and bureau data collections.

7. Department report. The department, in consultation with the bureau, shall prepare a written report of the services provided under this subchapter and make any recommendations regarding its provision of services under this subchapter to the joint standing committee of the Legislature having jurisdiction over veterans affairs by February 1st annually.

§3912. Veterans Mental Health Case Management and Services Fund

The Veterans Mental Health Case Management and Services Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the department. The fund is administered by the department to support the provision of case management services for veterans under this subchapter.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.