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REPORT TO THE LEGISLATURE

TO: Joint Standing Committee on Health and Human Services
FROM: Maine Department of Health and Human Services
DATE: January 10, 2025
RE: Work Plan Report pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services To Update the Rights of Recipients of Mental Health Services*

The Maine Department of Health and Human Services (DHHS) is submitting this report, pursuant to Resolves 2021, Ch. 132, *Resolve, Directing the Department of Health and Human Services to Update the Rights of Recipients of Mental Health Services*. This resolve requires the Department to submit reports every six months until provisional rule changes are adopted. The most recent report was submitted in August 2024.



Progress Since Last Report

DHHS last submitted a report to the Legislature in August 2024 with an update on the progress toward implementing Resolves 2021, Ch. 132. As referenced in previous reports, the Department extensively sought input of interested parties through various channels in 2023 and 2024, including a public survey, four virtual listening sessions, and engagement with adult residential programs licensed by, funded by, or contracted with the Department throughout the state via mailed workbooks and three additional in-person listening sessions in northern, central, and southern regions. The survey and workbook from listening sessions also remain on the Office of Behavioral Health's website¹ with the dedicated inbox² for ongoing engagement.

As indicated on the last report, behavioral health services were reorganized within DHHS by incorporating Children's Behavioral Health Services into the Office of Behavioral Health, furthering support and alignment for both the *Rights of Recipients of Mental Health Services* and the *Rights of Recipients of Mental Health Services Who Are Children in Need of Treatment*. The Office spent the first three quarters of 2024 drafting modernized rules which were reviewed by DHHS offices and state hospitals for consistency with other Department rules, current policies and procedures prior to submission to the Office of the Attorney General for legal pre-review. Pre-review began in the last quarter of 2024 and will continue into the first quarter of 2025 with final revisions and Commissioner review in the first and second quarters of 2025. The major substantive rules are anticipated to be proposed in the second quarter of 2025 in accordance with the updated workplan below.

¹ [OBH Home | Department of Health and Human Services \(maine.gov\)](https://www.maine.gov/dhhs/obh/home)

² behavioralhealthrightsobh@maine.gov

January 2024 – October 2024	DHHS rule drafting	
Summer 2024	DHHS providers a written progress report to the Joint Standing Committee on Health and Human Services	
November 2024 – April 2025	OAG Pre-review of proposed rule drafts; DHHS final revisions to proposed rule drafts; Commissioner review of proposed rule drafts	In process
January 2025	DHHS provides a written progress report to the Joint Standing Committee on Health and Human Services	
April 2025 – September 2025	DHHS proposes major substantive rules in late April or May; noticing; public hearings, comment periods and final reviews by OAG	
Summer 2025	DHHS providers a written progress report to the Joint Standing Committee on Health and Human Services	
October 2025	Commissioner provisionally adopts major substantive rules	
January 2026	DHHS submits provisionally adopted rules to Legislature for major substantive review	