

Committee to Study Court-ordered Treatment for Substance Use Disorder  
Committee Member Recommendations for Discussion on October 24, 2022

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Representative Madigan:

- The rules/legislation re: crisis assessment for involuntary hospitalization very clearly speak to co-occurring SUD and physical disorders must be considered along with any mental health diagnoses. These must be factored into likelihood of serious harm.

Representative Moriarty:

- With reference to 34-B MRS section 3801(4-A)(C), I suggest that we discuss who makes the determination of “a reasonable certainty” for purposes of the definition of “likelihood of serious harm.” The slide presentation by Dr. Potenza and AAG Molly Moynihan at the first meeting suggests that a law enforcement officer makes the call. If this is already understood to be the case based on current practice, I would not recommend that we add complexity to the statute.