§5206. Crisis and respite services

The department shall provide crisis and respite services throughout the State in accordance with this section. [PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

1. Crisis services. The department shall maintain the capacity to intervene in personal crises that could lead to the loss of the home, program or employment of a person with an intellectual disability or autism. Such capacity must include:

A. Assessment, consultation, planning, training and support for persons with intellectual disabilities or autism and their families or allies both before and after a crisis occurs; [PL 2011, c. 542, Pt. A, §93 (AMD).]

B. Providing staff support to prevent or respond to a crisis at the site of the crisis when appropriate; [PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

C. Ensuring mental health supports when necessary, including access to a licensed mental health provider, inpatient treatment when indicated, psychiatric services and mental health aftercare services; and [PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

D. Identifying appropriate professional services for the person in crisis. [PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

[PL 2011, c. 542, Pt. A, §93 (AMD).]

2. Out-of-home services. The department shall provide out-of-home services in accordance with this subsection.

A. The department shall maintain an adequate capacity to provide out-of-home safety and support by trained staff with appropriate professional backup resources for a person with an intellectual disability or autism experiencing a crisis that cannot be safely managed at the person's residence. [PL 2011, c. 542, Pt. A, §93 (AMD).]

B. Unless otherwise specified in personal planning, crisis intervention services must be provided at a person's home, program or workplace when prevention efforts are not successful. The services must assist with admission to an appropriate out-of-home service in the event that intervention in the home, program or workplace is inappropriate. [PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

[PL 2011, c. 542, Pt. A, §93 (AMD).]

3. Transportation. The department may not routinely use law enforcement entities to transport persons with intellectual disabilities or autism in crisis. Transportation of persons in crisis by law enforcement personnel may occur only if such transportation has been specifically authorized by the person's guardian or personal planning team or when determined by law enforcement personnel to be necessary to provide for the safety of the person or others.

[PL 2011, c. 542, Pt. A, §93 (AMD).]

4. Post-crisis review. A post-crisis review must occur no more than 10 working days after any out-of-home crisis placement. The review must include significant providers and supporters, including appropriate members of the person's planning team. The review must identify possible causes of the person's crisis and must recommend for the personal planning team changes in the person's environment, services and supports to prevent crises in the future.

[PL 2007, c. 356, §19 (NEW); PL 2007, c. 356, §31 (AFF).]

5. Respite services. The department shall maintain and fund a statewide respite system for planned or unplanned respite for persons with intellectual disabilities or autism and their families. The department shall, when appropriate, use the natural supports of a person in the development of respite services. For purposes of this subsection, "natural supports" means those supports provided by persons who are not disability service providers but who provide assistance, contact or companionship to enable

a person with an intellectual disability or autism to participate independently in employment or other community settings.
[PL 2011, c. 542, Pt. A, §93 (AMD).]

6. Information regarding use. The department shall maintain information regarding use of crisis and respite services sufficient to plan and budget for adequate crisis and respite services. The information must include an assessment of the needs, both met and unmet, for crisis and respite services. The department shall provide information regarding the availability of services under this section and the proper means to obtain them to persons with intellectual disabilities or autism, their parents and allies, providers of services and other interested persons.
[PL 2011, c. 542, Pt. A, §93 (AMD).]

7. Training. The department shall offer regular and ongoing information, consultation and training on crisis prevention and intervention and respite services to its own staff, providers and persons with intellectual disabilities or autism and their families, guardians, correspondents and allies.
[PL 2011, c. 542, Pt. A, §93 (AMD).]

8. Rules. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A.
[PL 2019, c. 290, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 356, §19 (NEW). PL 2007, c. 356, §31 (AFF). PL 2011, c. 542, Pt. A, §93 (AMD). PL 2019, c. 290, §1 (AMD).

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