

STATE OF MAINE
KENNEBEC, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-89-088

PAUL BATES, et al.,

Plaintiffs

v.

COMMISSIONER,
DEPARTMENT OF HEALTH AND
HUMAN SERVICES, et al.,

Defendants

ORDER APPROVING
AMENDMENT TO PLAN
NUMBER 16

Currently the Department includes in its Quarterly Reports, data relating to all of the performance measures listed in the Consent Decree Plan that was approved on October 13, 2006. In an effort to reduce the administrative burden on the Department, and to provide reports that are useful under the present circumstances, the parties have agreed to eliminate reporting of the performance measures listed on the attached chart.

Dated: May 8, 2014



Daniel E. Wathen, Court Master

Performance Measures removed from Quarterly Reports under ¶ 280 of the Settlement Agreement

Performance Standard	Settlement Agreement reference	Consent Decree Plan reference	Related Compliance Standard	Description of current requirement
2	¶27		IV.3	% of Level II grievances that were responded to within 5 days or an agreed upon extension
3.1	¶27			Number of Level II grievances and number of unduplicated people involved
3.2	¶27			Number of Level II grievances where violation is substantiated
7.1a	¶61	p.15		Does the record document that the treatment plan goals reflect the strengths of the consumer receiving services?
7.1b	¶61			Does the record document the individual's potential need for crisis intervention and resolution services was considered during treatment planning?
7.1c				Does the record document that the consumer has a crisis plan?
7.1d				If the consumer has a crisis plan, has the plan been reviewed as required, every 3 months?
10.1			IV.19	% of ACT providers with average caseloads of 10 or fewer
10.2	¶71		IV.19	% of CI providers with average caseloads of 40 or fewer
11.1	¶74	p.17		% of class members who do not receive CI services reporting needs in ISP-domain areas, as part of ¶74 process
11.2	¶74			Number of unmet needs in each ISP-domain for class members who do not receive CI services
15	¶96		IV.27	% of class members residing in homes w/more than 8 beds in which evidence of client's choice to reside there is documented
17.1	¶89	pp. 29-30		% of class member involuntary admissions to community inpatient units in which blue paper is on file
17.2	¶89	"		% of class member involuntary admissions to community inpatient units in which blue paper was completed in accordance with its terms
17.2a	¶89	p.29, 30, 59	IV.33	Corrective action taken by UR nurse where blue paper was not completed in accordance with its terms
17.3	¶89	pp.58-59		% of class member involuntary admissions to community inpatient units in which 24-hr recertification was completed
17.3a	¶89	"	IV.33	Corrective action taken by UR nurse where 24-hr certification was not completed
17.4	¶¶83, 89, 282	"		% of class member involuntary admissions to community inpatient units in which patients' rights were maintained

Performance Measures removed from Quarterly Reports under ¶ 280 of the Settlement Agreement

17.4a	¶89	“	IV.33	Corrective action taken by UR nurse where documentation showed patients' rights were not maintained
17.5	¶89	“		% of class member involuntary admissions to community inpatient units for which medical necessity was documented
21.5	¶103			MaineCare data demonstrates by mental health service category that class members use an array of mental health treatment services.
23.1	¶252	p.47	IV.50	Number of education programs developed and delivered that meet Settlement Agreement requirements a, b and d
23.2	¶109	p.47	IV.48	Number and distribution of family support services provided, including facilitated support group meetings, group counseling, psycho-educational programs and respite services
24.1				% of support groups and group counseling participants reporting satisfaction with services
24.2				% of program participants reporting satisfaction with respite services
25.1	¶110		IV.49	% of agency contracts reviewed with evidence of mechanism for referrals to family support services
25.2				% of families receiving referrals for family support services who report satisfaction with the referral process
30.1			IV.46	Number of social clubs/peer centers and participants by region
30.2			IV.46	Number of other peer support programs and participation
33.1				% of consumers reporting that agency staff helped them obtain the information needed to take charge of managing their illness
34.1	¶252		IV.50	Number of mental health workshops, forums, and presentations geared toward the general public and level of participation
34.2	¶252		IV.50	Number and type of informational packets, publications, press releases, etc. distributed to public audiences