

MAINE STATE LEGISLATURE

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CHAPTER 195
SUPPORT AT STATE INSTITUTIONS

- Sec.
2511. Department fixes rate.
2512. Persons liable.
2513. Determination of ability to pay.
2514. Statement forms to be completed by persons liable for support.
2515. Amount of charges; claims against estates.
2516. Debt to State.
2517. Military and Naval Children's Home.

§ 2511. Department fixes rate

The department shall fix rates for the support of patients at the Augusta State Hospital, Bangor State Hospital and the Pineland Hospital and Training Center.

1963, c. 19, § 2.

§ 2512. Persons liable

No bills shall be rendered under this chapter until the investigation has been made as provided for herein; except that, in instances wherein the legally liable person agrees to pay the fixed maximum rate, such investigation may be limited to a verification by reliable references of the ability of such person to pay the fixed maximum rate. Each patient and the spouse, child and parent, if the patient was wholly or partially dependent for support upon such parent at the time of admittance, shall be legally liable from the date of admittance for the support of such person committed or otherwise legally admitted to either state hospital for the mentally ill or to the Pineland Hospital and Training Center, in accordance with his ability to pay.

1963, c. 19, § 2; c. 426, § 1.

§ 2513. Determination of ability to pay

The department shall, following the admittance of a patient, into either of the state hospitals for the mentally ill or into the Pineland Hospital and Training Center, cause an investigation to be made to determine the property, real and personal, and interests in property, if any, the patient has. The department shall make an investigation to determine whether there exist any per-

sons responsible under section 2512 for the payment of charges for his support. It shall ascertain the financial condition of any such person and shall determine whether in each case such person is in fact financially able to pay such charges.

In determining ability to pay in each case the department shall consider among other items the following expenses and obligations: Special employment expenses; education expenses of the children of the patient or of any person legally liable for support under this chapter; medical and hospital obligations, if being liquidated; shelter expenses in excess of $\frac{1}{4}$ of the gross income of the liable person minus federal income tax and any mandatory retirement deductions; accrued and unpaid obligations under a court order; debts currently being liquidated, if contracted prior to the date of admittance of the patient or contracted involuntarily, subsequent to such date; and the number and condition of others dependent upon him; and shall consider any payments which may become due and payable to the patient or the patient's estate by reason of any social security, workmen's compensation, veterans administration or other life benefits, or from any policy of insurance covering such patient.

1963, c. 19, § 2.

§ 2514. Statement forms to be completed by persons liable for support

The commissioner shall prescribe financial statement forms which shall be completed by any person legally liable for support under this chapter. Such statement shall be sworn to by such liable person and shall be returned to the department within 30 days from the date of mailing or presentation if in hand. Should such person fail to return such statement to the department properly completed within 30 days, the department shall send another statement form by certified mail, return receipt requested and if the statement is not then returned completed within 30 days of mailing such liable person shall be assessed \$5 for each week or part thereof, in excess of the latter 30-day period that the statement is overdue. Penalties incurred under this section shall be collected in the same manner as are charges for support under this chapter. Penalties collected under this section shall be paid into the General Fund. A copy of this section shall appear in boldfaced type on the first page of each statement form.

1963, c. 19, § 2.

§ 2515. Amount of charges; claims against estates

The department may charge less than the maximum rate fixed under section 2511 but shall not in any case charge more than the fixed maximum rate. The department may enter into an agreement for support with any person legally liable for support under this chapter, under which agreement the department may postpone billing for support for any period of time. The State of Maine shall have a claim against the estate of any patient and against the estate of any person legally liable for support under this chapter, for any amount due and owing to the State of Maine at the date of death of such patient or such person, including any claim arising under an agreement entered into under this chapter, enforceable in the probate court. Such claim shall have priority over all unsecured claims against such estate, except:

1. **Administration.** Administrative expenses, including probate fees and taxes;
2. **Last sickness.** Expenses of the last sickness;
3. **Funeral.** Funeral expenses, not exceeding \$400, exclusive of clergymen's honorarium and cemetery expenses;
4. **Claims.** Claims filed against such estate under Title 22, section 3453.

The Attorney General shall collect any claim which the State may have hereunder against such estate. No such claim shall be enforced against any real estate while it is occupied as a home by the surviving spouse of the patient or person legally liable for support under this chapter and said spouse does not marry again.

1963, c. 19, § 2; c. 426, § 2.

§ 2516. Debt to State

Charges made under this chapter shall be a debt of the patient or of any person legally liable for support under this chapter, recoverable in any court of competent jurisdiction in a civil action, in the name of the State of Maine.

1963, c. 19, § 2.

§ 2517. Military and Naval Children's Home

This chapter shall be applicable to the support of children admitted to the Military and Naval Children's Home.

1963, c. 19, § 2.