

MAINE STATE LEGISLATURE

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STATE OF MAINE

Inter-Departmental Memorandum Date January 6, 1966⁶

To K.B. Burns, Director, Business Management Dept. Mental Health and Corrections

From Courtland D. Perry, Assistant Attorney Gen'l. Dept. " "

Subject Expenditures from Appropriation to Bangor State Hospital for "Boarding-out Program."

FACTS:

Lillian Miner, Bangor State Hospital patient, 60 years of age, who last left the hospital on trial visit in 1962 supported herself with her own funds until recently when such funds were exhausted. It is now proposed by the Bangor State Hospital that in order to forestall this woman's return to the hospital, funds be made available to her in the amount of \$100.00 per month for her support from funds appropriated to the Bangor State Hospital by the 102nd Legislature by the following language appearing in the Supplemental Appropriations Bill:

Chapter 159, P & S L., 1965 "Bangor State Hospital.....
.....Also provides \$25,000 each year for a boarding out program."

QUESTION:

Can the hospital make direct payments to this patient from the above appropriation?

ANSWER:

Yes.

OPINION:

The appropriation in question is to be expended in carrying out a "boarding-out program" and beyond that is unqualified, thus, leaving to the Department of Mental Health and Corrections and the Bangor State Hospital the administrative determination of the nature of this program. It is, therefore, our opinion that there is no legal prohibition against the use of this appropriation in providing for residence outside the hospital of a patient situated as is Lillian Miner.

Courtland D. Perry

Courtland D. Perry
Assistant Attorney General

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