

# MAINE STATE LEGISLATURE

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# ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 254

S. P. 109

In Senate, January 18, 1973

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Hichens of York.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-THREE

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### AN ACT Relating to the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery.

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1. R. S., T. 34, § 2081, amended.** Section 2081 of Title 34 of the Revised Statutes, as enacted by chapter 219 of the public laws of 1971, is amended to read as follows:

#### § 2081. Administration

The Regional Care Facility for the Severely and Profoundly Mentally Retarded, located upon property owned by the State of Maine at Bangor and the Southern Regional Center for the Severely and Profoundly Mentally Retarded located at Kittery, each hereafter in this chapter called the "Regional Care Facility," shall be maintained primarily for the care, treatment and training of severely ~~mentally retarded and~~ or profoundly mentally retarded children and other persons who are severely ~~mentally retarded and~~ or profoundly ~~mentally~~ retarded and shall be under the control of the department and operated subject to policies established by the Director of the Bureau of Mental Retardation approved by the commissioner. The Regional Care Facility shall be under the direction of an administrator appointed by the Director of the Bureau of Mental Retardation, subject to the Personnel Law, who by reason of education and experience shall be qualified to administer a residential facility providing services to severely and profoundly mentally retarded persons.

**Sec. 2. R. S., T. 34, § 2511, amended.** The first sentence of section 2511 of Title 34 of the Revised Statutes, as repealed and replaced by section 1 of

chapter 62 of the public laws of 1971, is amended to read as follows:

The department shall establish charges for care and treatment of patients at the Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center, ~~and~~ the Regional Care Facility for the Severely and Profoundly Mentally Retarded at Bangor ~~and the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery.~~

**Sec. 3. R. S., T. 34, § 2512, amended.** The first paragraph of section 2512 of Title 34 of the Revised Statutes, as repealed and replaced by section 2 of chapter 292 of the public laws of 1965, and as amended, is further amended to read as follows:

Each patient and the spouse, adult child and parent, jointly and severally, shall be legally liable from the date of admission for the care and treatment of any patient committed or otherwise legally admitted to either state hospital for the mentally ill, the Pineland Hospital and Training Center ~~or~~, the Regional Care Facility for the Severely and Profoundly Mentally Retarded at Bangor ~~or the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery~~, except that a parent shall not be legally liable for care and treatment unless the patient was wholly or partially dependent for support upon such parent at the time of admission.

**Sec. 4. R. S., T. 34, § 2513, amended.** The first sentence of section 2513 of Title 34 of the Revised Statutes, as last amended by section 3 of chapter 62 of public laws of 1971, is further amended to read as follows:

The department shall, following the admittance of a patient, into either of the state hospitals for the mentally ill, the Pineland Hospital and Training Center ~~or~~, the Regional Care Facility for the Severely and Profoundly Mentally Retarded at Bangor ~~or the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery~~, cause an investigation to be made to determine the property, real and personal, and interests in property, if any, the patient has.

**Sec. 5. R. S., T. 34, § 2513-A, amended.** The first sentence of section 2513-A of Title 34 of the Revised Statutes, as enacted by section 4 of chapter 292 of the public laws of 1965, and as amended by section 6 of chapter 62 of the public laws of 1971, is further amended to read as follows:

The Superintendent of the Augusta State Hospital, Bangor State Hospital, Pineland Hospital and Training Center ~~and~~, the Regional Care Facility for the Severely and Profoundly Mentally Retarded at Bangor ~~and the Southern Regional Center for the Severely and Profoundly Mentally Retarded at Kittery~~ is authorized to receive as payee any benefits from social security, veterans administration, railroad retirement or any other like benefits paid on behalf of any patient, and shall apply such benefits toward the care and treatment of any such patient in accordance with the charges made by the department.

**Sec. 6. Authorization for purchase of the Tri-County General Hospital at Kittery, Maine.** The Commissioner of the Department of Mental Health and Corrections is authorized to purchase, on behalf of the State, the Tri-

County General Hospital located at Kittery, Maine, together with all movable and fixed equipment situated therein, from the Tri-County General Hospital, Inc., Kittery, Maine, to be utilized and known as the Southern Regional Center for the Severely and Profoundly Mentally Retarded under the supervision and control of the Department of Mental Health and Corrections.

The purchase price shall be equivalent and limited to the mortgage debts, bonds and interest and other financial obligations and debts of the Tri-County General Hospital that exist as of the purchase date, and in any event shall not exceed \$600,000. The difference between the purchase price and the appropriated sum of \$600,000, if any, shall lapse to the General Fund as of the purchase date.

**Sec. 7. Appropriation for purchase of Tri-County General Hospital at Kittery.** There is appropriated from the General Fund to the Department of Mental Health and Corrections for the fiscal year ending June 30, 1974, the sum of \$600,000 to carry out the provisions of section 6 of this Act and for no other purpose.

**Sec. 8. Appropriation for renovation of Tri-County General Hospital at Kittery.** There is appropriated from the General Fund to the Department of Mental Health and Corrections for the fiscal year ending June 30, 1974, and to be carried and available for the purpose of this section until June 30, 1975, the sum of \$113,400 for the purpose of renovating the Tri-County General Hospital at Kittery, following its purchase by the State, in a manner so as to render the facility suitable for its intended use as the Southern Regional Center for the Severely and Profoundly Mentally Retarded.

**Sec. 9. Appropriation.** There is appropriated from the General Fund to the Department of Mental Health and Corrections for the fiscal years ending June 30, 1974 and June 30, 1975 the sum of \$1,152,601 for the purpose of equipping and operating the Southern Regional Center for the Severely and Profoundly Mentally Retarded. The breakdown shall be as follows:

	1973-74	1974-75
DEPARTMENT OF MENTAL HEALTH AND CORRECTIONS		
Personal Services	(66) \$214,451	(76) \$528,499
All Other	143,450	156,200
Capital Expenditures	100,000	10,000
	<hr/> \$457,901	<hr/> \$694,699

### STATEMENT OF FACT

Presently, the lack of sufficient residential space for severely and profoundly mentally retarded is having a detrimental effect upon many retarded individuals and their families. At this time the infirmary at Pineland is overcrowded by 35 beds. When the Regional Care Facility for the Severely

and Profoundly Mentally Retarded at Bangor (Levinson Developmental Center) was opened there were 80 more applications than there were beds. Both institutions have waiting lists of individuals who are appropriate candidates for admission but must wait until beds are available.

Through the establishment of the Southern Regional Center for the Severely and Profoundly Mentally Retarded, the State would not only provide bed space for long-term care, but also assistance to families in order that they can cope with the many difficult problems associated with having a severely or profoundly mentally retarded child in the home. Further, by admitting children under 5 years of age, parents in southern Maine will be closer to their children and more able to be involved in the treatment, training and care of their children.