

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 674

H. P. 509 House of Representatives, February 7, 1973
Referred to Committee on Health and Institutional Services. Sent up for
concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mrs. White of Guilford.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Community Based Services for the Mentally Retarded.

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

Sec. 1. R. S., T. 34. c. 184-C, additional. Title 34 of the Revised Statutes
is amended by adding a new chapter 184-C to read as follows:

CHAPTER 184-C

COMMUNITY BASED SERVICES FOR THE MENTALLY
RETARDED

§ 2095. Assistance to community based mental retardation services;
authority, purpose, scope and procedure

The purpose of this chapter is to assist in the establishment and expansion
of community based mental retardation services for the maintenance of men-
tally retarded persons in the community when appropriate, including, but
not limited to, group homes and supportive services; to encourage partici-
pation in the provision of such services by persons in local communities;
to obtain better understanding of the need for such services and to provide a
vehicle for financial assistance to such services through procedures set forth
in this chapter.

§ 2096. Powers

The Department of Mental Health and Corrections may provide mental
retardation services throughout the State, and for that purpose may cooper-
ate with other state agencies, municipalities, other governmental units, unin-
corporated associations and nonstock corporations. The department, through

the Bureau of Mental Retardation, shall adopt and promulgate rules, regulations and standards relating to the administration of the services authorized by this chapter. Under this chapter, funds will be granted by the department only to those applicants whose programs provide for adequate standards of professional service. The department may receive and use for the purpose of this chapter money appropriated by the State and grants by the United States Government and gifts from individuals and any other sources.

§ 2097. Municipalities and other governmental units

A municipality or other governmental unit, such as a county, school district or health district, through its local board of health or other town or governmental agency approved by the department, is authorized to adopt and carry out a program of mental retardation services established or approved by the department and appropriate money for that purpose. A municipality or other governmental unit may join with another municipality or governmental unit to carry out such a program.

§ 2098. State aid

Upon application to the department by a municipality, governmental unit, unincorporated association or nonstock corporation organized for the improvement of community health and welfare, the department may grant to such applicant money to be used for carrying out its mental retardation services.

§ 2099. Amount

Such grant of money shall not exceed in any single year $\frac{3}{4}$ of the operating expenses incurred by the applicant receiving the grant after deducting from said expense the fees, if any, received for the services rendered, except that no more than $\frac{1}{2}$ of the operating expenses shall be paid from the General Fund appropriation. Consideration shall be given to the ability of the municipality or governmental unit to support the mental retardation services, as reflected by the state's evaluation of the component communities; as to unincorporated associations or nonstock corporations, all income and resources shall be taken into account.

§ 2100. Fees

Any program authorized by the department may include the provision of services by the department or the municipality, governmental unit, unincorporated association or nonstock corporation directly to individuals, for which a fee may be charged, if the individual is financially able to pay the same. Fees received by the municipality, governmental unit, unincorporated association or nonstock corporation shall be utilized by each in carrying out its programs approved under this chapter.

Sec. 2. Appropriation. There is appropriated from the General Fund to the Department of Mental Health and Corrections the sum of \$400,000 to carry out the purposes of this Act. The breakdown shall be as follows:

	1973-74	1974-75
MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF		
All Other	\$200,000	\$200,000

STATEMENT OF FACT

This bill will allow for alternatives to institutionalization of retarded individuals who could remain in the community. Further, the need for "seed money" is evidenced by the number of private agencies willing to establish such services but who are unable to do so due to costs incident to the initiation of such services.