# MAINE STATE LEGISLATURE

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### ONE HUNDRED AND SEVENTH LEGISLATURE

### Legislative Document

No. 1326

H. P. 1052 House of Representatives, March 21, 1975
Referred to Committee on Appropriations and Financial Affairs. Sent up
for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Davies of Orono.

### STATE OF MAINE

## IN THE YEAR OF OUR LORD NINETEEN HUNDRED SEVENTY-FIVE

AN ACT Relating to Programs for Retarded Individuals in Boarding and Nursing Homes.

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

Sec. 1. 34 MRSA c. 186 is enacted to read:

#### CHAPTER 186

# PROGRAMS FOR RETARDED INDIVIDUALS IN BOARDING AND NURSING HOMES

§ 2131. Assistance to 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 retarded persons in boarding and nursing homes.

§ 2132. Powers

The Department of Mental Health and Corrections may provide mental retardation services to retarded individuals in boarding, nursing and foster homes throughout the State, and for that purpose may cooperate with other state agencies, municipalities, other governmental units, unincorporated 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.

### § 2133. 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.

### § 2134. 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.

### § 2135. Fees

Any program authorized by the department may include the provision of services by the department or the municipality, governmental units, 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 \$600,000 to carry out the purposes of this Act. The breakdown shall be as follows:

1974-75 1975-76

### MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF

Bureau of Mental Retardation

All Other

\$300,000

\$300,000

#### STATEMENT OF FACT

A recent survey by the Bureau of Mental Retardation of 503 retarded boarding, nursing and foster home clients showed that less than 10% attended outside programs.

This bill will allow for the provision of programs to retarded individuals who reside in boarding and nursing homes. 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 and maintenance of such services.