

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 2077

H. P. 1897

House of Representatives, January 23, 1976

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

EDWIN H. PERT, Clerk

Presented by Mr. Hennessey of West Bath.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

AN ACT to Provide Dental Care to Developmentally Disabled Boarding  
and Nursing Home Clients and to other Persons.

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

Sec. 1. 34 MRSA, Pt. 6 is enacted to read:

PART 6

DENTAL CARE

CHAPTER 301

DENTAL CARE TO DEVELOPMENTALLY DISABLED  
BOARDING AND NURSING HOME CLIENTS  
AND OTHER PERSONS

§ 4001. Establishment and maintenance of dental clinic

The Department of Mental Health and Corrections shall provide funds for the establishment and maintenance of dental clinics or services, or both, for the developmentally disabled in boarding, nursing and foster homes and in the community. These clinics or services, or both, may serve other boarding and nursing home clients, the elderly, the handicapped and other citizens of Maine who do not have the resources to pay for these services, if not fully utilized by the developmentally disabled. The clinics or services, or both, shall be operated on an ability-to-pay basis.

#### § 4002. Powers relating to dental services

The Department of Mental Health and Corrections may provide moneys for the establishment and maintenance of dental clinics or services, or both, for the developmentally disabled in boarding, nursing and foster homes and other state residential facilities as well as other handicapped individuals and for that purpose may cooperate with individuals, 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.

#### § 4003. Dental care programs of 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 dental 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.

#### § 4004. State aid

1. Authorized. Upon application to the department by an individual, 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 dental services as intended by this chapter.

2. Amount of state aid. Consideration shall be given to the ability of the municipality or governmental unit to support the dental services as reflected by the State evaluation of the component community; as to unincorporated associations or nonstock corporations, all income and resources shall be taken into account. The grant of money may be the total or part of the expenses incurred by the applicant in providing, establishing and maintaining the dental services.

#### § 4005. Fees for dental care

Any program authorized by the department may include the provision of services by the individual, department or the municipality, governmental unit, unincorporated association or nonstock corporation directly to individuals, for which a fee shall be charged, if the patient is financially able to pay the fee. In accordance with the policies and procedures developed by the Bureau of Mental Retardation, fees received by the individual municipality, governmental unit, unincorporated association or nonstock corpora-

tion may be utilized by each in carrying out its programs approved under this chapter, or returned to a special revenue account for purposes of continuing the intent of this chapter.

**Sec. 2. Appropriation.** There is appropriated from the General Fund to the Department of Mental Health and Corrections, Bureau of Mental Retardation, the sum of \$356,969 to carry out the purposes of this Act. The breakdown shall be as follows:

1976-77

MENTAL HEALTH AND CORRECTIONS,  
DEPARTMENT OF

Bureau of Mental Retardation  
All Other

\$356,969

STATEMENT OF FACT

A recent survey of 422 boarding home clients and 550 residents of Pineland Center showed that the majority of these individuals have not received dental care in the past year. This is primarily due to the lack of funds and dental resources.

In reviewing this and other studies it was determined that this problem exists throughout the boarding and nursing home population, the developmentally disabled, the handicapped, the elderly and the poor. In order to meet, in part, these needs, the requested money would establish 6 clinics or major service areas in the community (Eastport-Lubec, Bangor, Waterville, Lewiston-Auburn, Camden-Rockland and Portland) and one at Pineland Center.