

# MAINE STATE LEGISLATURE

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ONE HUNDRED AND EIGHTH LEGISLATURE

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Legislative Document

No. 157

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H. P. 124

House of Representatives, January 26, 1977

On motion of Mr. Kelleher of Bangor, referred to the Committee on Appropriations and Financial Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Kelleher of Bangor.

Cosponsor: Mr. Kerry of Old Orchard Beach.

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SEVEN

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AN ACT to Amend the Laws Relating to Payments for Care of Children.

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

22 MRSA § 3802, sub-§ 1, as enacted by P & SL 1975, c. 103, sec. C, is amended to read:

1. Payments made by the department, pursuant to section 3792, section 3794 or pursuant to other provisions of law, for the care of children committed to the custody of the State shall be in accordance with this section. Within the limits of available funds, the department shall take action to ~~assure that provide~~ state payments for care of a child, ~~when combined with such other resources as may be available to share the costs of such care, shall provide monthly payments~~ as follows:

A. ~~For~~ The foster home board care, when combined with any other resources as may be available to share the costs of the care payment, shall be at a rate which is at least equal to, but not less than, the rate in the following schedule:

For Care Of A Child Who Is	Rate Per Month
Normal	\$120
Mildly Handicapped	140
Moderately Handicapped	160
Severely Handicapped	190

**B.** For residential child care facilities in an amount equal to, but not exceeding, 80% of audited unit cost and based on actual expenditures. **The total amount paid from all sources shall not exceed 100% of audited unit cost.**

**C.** For boarding care in so called private schools in an amount equal to 80% of audited unit cost up to \$175 per month, except where a child has unusual needs in an amount equal to 80% of audited cost up to \$300 per month. **The total amount paid from all sources shall not exceed 100% of audited unit cost.**

**D.** For a clothing allowance, when combined with any other resources as may be available, payment shall be at a rate which is at least equal to, but not less than, the rate in the following schedule :

For A Child Age	Rate Per Month
0-4 years	\$11
4 years 1 day to 11 years	19
11 years 1 day or older	27

In lieu of a monthly clothing allowance, the department may provide for clothing for children by direct purchase.

### STATEMENT OF FACT

The purpose of this bill is to maintain the 80% of audited unit cost ceiling on payments by the Department of Human Services for children committed to its custody to residential child care facilities, but would allow the facilities to obtain the other 20% from other resources. Thereby, the facilities would not be forced to suffer a 20% loss for each child, and children placed by the Department of Human Services would not be at a disadvantage in competing for placements with children placed by other agencies or placed privately for whom 100% of cost can be paid. Additionally, the department would have flexibility in the method of paying for clothing for children while staying within the limits set by law.