

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 1505

H. P. 1128

House of Representatives, March 21, 1979

Referred to the Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Nelson of Portland.

Cosponsor: Mr. Brodeur of Auburn.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Concerning Maine's Maternal and Child Health Care Program.

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

Sec. 1. 22 MRSA c. 102 is enacted to read:

CHAPTER 102

MATERNAL AND CHILD HEALTH

§ 271. **Legislative intent**

It is the intent of the Legislature to provide, to the greatest extent possible, access to needed health services of the highest quality for the state's mothers, infants and children.

It is further the intent of the Legislature, consistent with the purpose of this chapter, to provide needed health services, to the greatest extent possible, under the United States Social Security Act, Title V, the Federal Maternal and Child Health Program and state matching funds for this program.

It is further the intent of the Legislature, consistent with the purpose of this chapter, to require the Department of Human Services to develop a plan for the use of Title V, the Federal Maternal and Child Health Program funds and a

process for granting these funds which assures, to the extent practicable, that Maine's mothers, infants and children are benefiting from these services.

§ 272. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms shall have the following meanings.

1. **Commissioner.** "Commissioner" means the Commissioner of Human Services.

2. **Department.** "Department" means the Department of Human Services.

3. **Plan.** "Plan" means the plan, required by this chapter, for the use of funds available under the United States Social Security Act, Title V, the Federal Maternal and Child Health Program.

§ 273. Development of plan, department responsibilities; coordination; annual revision, completion of plan; availability of plan; department obligations

1. **Development of plan.** The Department of Human Services is directed to develop a plan which assures, to the extent practicable, that necessary health services are identified which meet the health needs of mothers, infants and children in the State.

2. **Responsibility.** This plan shall detail the responsibility of the state's Title V agency as well as the efforts of other state agencies toward meeting the health needs of the mothers, infants and children of the State. The plan shall indicate the following:

A. The current health needs of mothers, infants and children; and

B. The steps required to deal with the current health needs and with changing priorities.

3. **Coordination.** In order to avoid duplication of effort, the department shall coordinate its planning activities, to the extent practicable, with other health planning activities in the State and shall encourage the participation of local maternal, infant and child health provider agencies in aspects of the plan related to these agencies.

4. **Objectives.** The department shall indicate in the plan the relationship of its planning objectives to other health planning activities in the State.

5. **Annual revision.** The plan shall be revised annually and shall include measurable objectives based on state priorities for the current year.

6. **Completion of plan.** The plan shall be completed prior to the granting of funds for the fiscal year for which the plan is developed.

7. **Availability of plan.** The plan shall be available to the public in the office of the Director of Maternal and Child Health.

8. Department obligations. Nothing in this chapter shall be construed as altering or replacing the obligations of the department to satisfy the federal mandate or federal guidelines for the Title V Maternal and Child Health Care Program. Every effort shall be made by the department to produce a plan and grant review process which satisfies both federal and state criteria.

§ 274. Contents of the plan

The narrative of the state Title V plan shall include, but not be limited to, 2 major elements as follows:

1. Administrative elements. Administrative elements shall include the following:

A. The authority and responsibility of the State Maternal and Child Health Program including major state legislation dealing with the State Maternal and Child Health program;

B. The organization of the State Maternal and Child Health Program and program services including:

(1) The organizational levels at which the State Maternal and Child Health Program staff are assigned;

(2) The location of the State Maternal and Child Health Program components; and

(3) The administrative responsibility of the state program staff for providing or arranging for direct services;

C. The personnel of the State Maternal and Child Health Program including:

(1) The number of positions, positions filled, estimate of percentage of time spent in the program; and

(2) The vacancies, length of vacancy and reasons for any continuing vacancies;

D. A fiscal description including:

(1) The prior year's use of federal funds and matching funds;

(2) The origin and type of matching credits;

(3) The authorization, policies and controls for use of funds;

(4) The budget process;

(5) The encumbrances and any purchased or contributed services; and

(6) The prior year's use of Title XIX funds;

E. The regulations affecting the confidentiality of information, informed consent and age of legal majority; and

F. The interdepartmental relationships with other state agencies and other public or private programs or agencies organized to meet the State Maternal and Child Health Program priorities and objectives; and

2. Functional elements. Functional elements shall include the following:

A. The assessment of the scope and nature of the needs of all mothers and children in all areas of the State, including:

(1) The criteria and data used to identify the extent, nature and location of problems and the needs in relation to the health status of mothers and children;

(2) The current status of available resources, funds, personnel and facilities;

(3) The mechanisms and data used to identify health delivery services needs, including underserved or special problem areas and needs for targeted services and resources;

(4) The capability for early detection of problems and trends; and

(5) The problems encountered in doing any assessment of needs;

B. The scope of the state plan including:

(1) The responsibilities of the Title V agency as well as the efforts and location of other agencies in the State providing services on behalf of mothers and children;

(2) The responsiveness of the plan to current needs, problems and changing priorities;

(3) The relationship of the plan to the Health Systems Agency plan and other health planning activities in the State; and

(4) The measurable objectives based on national and state priorities;

C. Educational activities including:

(1) A discussion of outreach and public information techniques used to promote community and consumer awareness of health and primary prevention needs and resources for services;

D. The provision of technical assistance including:

(1) A description of the roles and responsibilities of state staff in providing consultation on service needs, service delivery and the effectiveness of consultation with key groups;

E. An evaluation of the program including:

(1) A description of the procedures utilized for monitoring and evaluating maternal and child health services; and

F. The administration and supervision of direct services including:

(1) A discussion of how funds from multiple resources, including Title I, V, XVIII, XIX, XX, the Women, Infants and Children Program, the Genetic Disease Act, PHS Act, Section 330, are utilized in providing for health needs of mothers and children in the State.

§ 275. Guidelines for funding Title V maternal and child care activities; content

The Department of Human Services is directed to develop and make available guidelines for the granting of awards to providers of health services through the Title V Maternal and Child Health Program.

1. Content of the guidelines. The Department of Human Services shall develop guidelines which, to the extent practicable, provide sufficient information to permit providers of health services to understand and apply for funds and to establish or continue health services to mothers, infants and children as designated in the plan. These guidelines shall include, but not be limited to, information describing how a health provider should prepare its grant proposal and the criteria which the department intends to use in considering the proposal.

§ 276. Establishment and powers of review committee

1. Establishment of review committee. The Department of Human Services shall establish a maternal and child health review committee for the purpose of advising the commissioner on granting awards from Title V maternal and child health funds. The review committee shall consist of the commissioner, or his designee; the Director of the Bureau of Health; the Director of the State Maternal and Child Health Program; the Director of the State Health Planning and Development Agency; the Director of the Crippled Children's Program, the Executive Director of the Human Services Council, or his designee; and the Executive Director of the Maine Health Systems Agency, or his designee. The review committee may encourage any person interested in the proposed grant activity to attend grant review hearings when appropriate.

2. Powers. The department's maternal and child care review committee shall review grant proposals for Title V maternal and child care funds and make recommendations, within 60 days after the receipt of these proposals, to the commissioner as to whether the proposal should be accepted, rejected or modified and the conditions under which a modified proposal might be accepted. The review committee shall notify the grant applicant in writing of its recommendation on the proposal and the reasons for its recommendation.

3. Commissioner's decision. The commissioner shall notify the grant applicant in writing of his decision on the grant proposal. A final decision by the commissioner for accepting or not accepting the grant proposal shall occur within 30 days after receiving the recommendation of the review committee.

Sec. 2. 22 MRSA § 5316, sub-§ 3, ¶ B, as enacted by PL 1973, c. 793, § 12, is repealed and the following enacted in its place:

B. The United States Social Security Act, Titles V and XX, as amended, except those services to older people funded under the United States Security Act, Title XX, as amended.

STATEMENT OF FACT

The purposes of this bill are to accomplish 2 objectives:

1. Require the Department of Human Services to develop a plan for the use of federal and state Title V maternal and child health care funds and permit a review of this plan by the Maine Human Services Council; and
2. Require the Department of Human Services to develop a grant review process which will ensure that grants are made in a reasonable way in accordance with the plan.

This bill is the result of a report on Maine's Maternal and Child Health Program prepared by the Legislative Health Policy Analysis Project in the fall of 1978. This report detailed both the strengths and weaknesses of Maine's Maternal and Child Health Program and offered suggestions for strengthening it.