

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND TENTH LEGISLATURE
4

5 **Legislative Document**

No. 1880

7 S. P. 800

In Senate, January 26, 1982

Approved for introduction by the Legislative Council pursuant to Joint Rule 26.

Referred to the Committee on Appropriations and Financial Affairs and ordered printed. Sent down for concurrence. Ordered sent forthwith.

MAY M. ROSS, Secretary of the Senate

Presented by Senator Conley of Cumberland.

Cosponsors: Senator Gill of Cumberland, Representative Kelleher of Bangor and Representative Aloupis of Bangor.

10 STATE OF MAINE
11

12 IN THE YEAR OF OUR LORD
13 NINETEEN HUNDRED AND EIGHTY-TWO
14

15 **AN ACT Appropriating Funds and Setting**
16 **Wage Reimbursement Levels for Employees of**
17 **Intermediate Care Facilities for the Mentally**
18 **Retarded.**
19

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

21 **Sec. 1. Salary levels.** Effective each July 1st, pri-
22 vate, nonprofit Intermediate Care Facilities for the Men-
23 tally Retarded minimum salary levels for direct care staff,
24 shall be no less than entry level salary rates paid to com-
25 parable employees of state-operated Intermediate Care Faci-
26 lities for the Mentally Retarded.

27 **Sec. 2. Appropriation.** The following funds are appro-
28 priated from the General Fund to carry out the purposes of
29 this Act.

1
2 HUMAN SERVICES, DEPARTMENT OF

3 Intermediate Care - payments to providers

4 All Other \$100,000

5 Provides funds to increase salary
6 budgets of private, nonprofit Inter-
7 mediate Care Facilities for the Men-
8 tally Retarded to levels equal to
9 entry level employment at
10 state-operated Intermediate Care
11 Facilities for the Mentally
12 Retarded, including the Pineland
13 Center.

14 STATEMENT OF FACT

15 In the fall of 1980, private, nonprofit Intermediate
16 Care Facilities for the Mentally Retarded residential facil-
17 ities began to be set up as part of the state's commitment
18 under the Pineland Consent Decree. At that time, the Com-
19 missioner of Human Services arbitrarily established an
20 employee salary ceiling for these facilities. This ceiling
21 was \$4.19 an hour average for virtually all personnel work-
22 ing with the retarded in the newly-developed Intermediate
23 Care Facilities for the Mentally Retarded.

24 The salary ceiling has resulted in very high turnover
25 rates, ranging from 50% to 300% at these homes, and has def-
26 initely impaired the quality of care delivered to the
27 clients. No other intermediate care facility has such a
28 ceiling, yet no other intermediate care facility must pro-
29 vide such intense care, which includes developmental train-
30 ing, behavioral management and ongoing crisis intervention.

31 At state-operated Intermediate Care Facilities for the
32 Mentally Retarded, such as the Pineland Center and the
33 Levinson Center, employees work for the State and receive
34 wages that average \$5.47 an hour at entry level, yet quali-
35 fications at the community homes are higher because of the
36 more intense work being performed, while wages are 25% less
37 across-the-board and the fringe benefits are substantially
38 less.

1 Presently, the Commissioner of Human Services has no
2 plans to increase the \$4.19 rate. This means that, if the
3 Legislature does not act now, Intermediate Care Facilities
4 for the Mentally Retarded employees will be forced to live
5 under this ceiling until at least July of 1983, almost 3
6 years with no increase.

7 This bill appropriates funds to bring these salaries to
8 entry level parity with state facilities and requires that
9 they be retained at that level.

10 Approximately 200 people are affected by this bill and
11 Medicaid funds are matched by the Federal Government at a
12 rate of almost 70% to 30%. There are currently 21 Inter-
13 mediate Care Facilities for the Mentally Retarded homes
14 serving 184 retarded individuals. In 1981, the Legislature
15 approved 168 more beds. After 1983, no more beds are
16 planned.

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