

MAINE STATE LEGISLATURE

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1 (New Draft of S.P. 669, L.D. 1843)
2 (New Title)

3 SECOND REGULAR SESSION
4

5 ONE HUNDRED AND ELEVENTH LEGISLATURE
6

7 Legislative Document

No. 2388

9 S.P. 883

In Senate, March 28, 1984

10 Reported by Senator Carpenter of Aroostook from the Committee on
11 Health and Institutional Service and printed under Joint Rule 2.

12 Original bill presented by Senator Bustin of Kennebec. Cosponsored by
Representative Kelleher of Bangor, Senator Gill of Cumberland and
Representative Nelson of Portland.

JOY J. O'BRIEN, Secretary of the Senate

13
14 STATE OF MAINE
15

16 IN THE YEAR OF OUR LORD
17 NINETEEN HUNDRED AND EIGHTY-FOUR
18

19 AN ACT to Assure Appropriate Placement and
20 Service Provision to State Assisted Residents
21 of Boarding Homes and Adult Foster Homes.
22

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

25 Sec. 1. 22 MRSA §7910 is enacted to read:

26 §7910. Assessment of and care planning for adult
27 boarding home and foster home residents who
28 receive state assistance; rules

29 Every individual who is eligible to receive state
30 assistance for a portion of the costs of adult board-
31 ing home or foster care and who is referred to or
32 otherwise seeks admission to a boarding or foster
33 care home shall have an assessment performed prior to

1 admission. The agency of State Government or its
2 agent performing the assessment shall, using a form
3 approved by the department, indicate the need for
4 boarding or foster home placement, develop a plan of
5 care which meets the requirements of the department
6 when placement is sought in a boarding or foster
7 home, and provide periodic follow-up as necessary.

8 The department shall develop an intake and refer-
9 ral system to assist persons who seek admission by
10 referring them to the appropriate agency for assess-
11 ment and development of a plan of care.

12 The Department of Human Services and the Depart-
13 ment of Mental Health and Mental Retardation shall
14 report biennially to the joint standing committee of
15 the Legislature having jurisdiction over health and
16 institutional services, commencing in January 1986,
17 on the intake and referral system, the appropriate-
18 ness of placements and the service needs which have
19 been identified.

20 The department shall, pursuant to the Maine Ad-
21 ministrative Procedure Act, Title 5, chapter 375,
22 adopt reasonable rules to carry out the purposes of
23 this section.

24 Sec. 2. Appropriations. The following funds are
25 appropriated from the General Fund to carry out the
26 purposes of this Act.

27 1984-85

28 MENTAL HEALTH AND MENTAL RETARDATION,
29 DEPARTMENT OF

30 Bureau of Mental Health

31 All Other \$48,000

1 Provides 6-month funding from
2 January 1, 1985, to June 30,
3 1985, for case managers through
4 community mental health agencies
5 to conduct assessments and to
6 develop case plans for provision
7 of mental health services to
8 residents entering boarding
9 homes or adult foster homes.

10 HUMAN SERVICES, DEPARTMENT OF

11 Bureau of Maine's Elderly

12 All Other \$25,000

13 Provides 6-month funding from
14 January 1, 1985, to June 30,
15 1985, for case managers through
16 area agencies on aging to con-
17 duct assessments and to develop
18 case plans for provision of ap-
19 propriate services to residents
20 entering boarding homes or adult
21 foster homes.

22 HUMAN SERVICES, DEPARTMENT OF

23 Bureau of Medical Services

24 Personal Services \$7,482
25 All Other 400
26 Capital Expenditures 1,250

27 Total \$9,132

28 Provides 6-month funding from
29 January 1, 1985, to June 30,
30 1985, for a Human Services Aide
31 III for intake and referral.

32 STATEMENT OF FACT

33 The 110th Legislature established a Boarding Home
34 Study Committee to review the boarding home program
35 and to make recommendations to the Legislature for

1 improvements. The legislation proposed was unable to
2 be considered during the session.

3 Since then, numerous advances have been made to
4 improve the administration of the boarding home pro-
5 gram. A major recommendation relating to residents,
6 which has been addressed through 2 demonstration pi-
7 lot projects, is that there be a standardized assess-
8 ment of residents' abilities, needs and independent
9 living skills in order to determine care and services
10 needed on an individual and population basis. As-
11 sessments provide the basis for assuring appropriate
12 placement and service provision. Such systems are
13 now provided to the mentally retarded and adult pro-
14 tective services population residing in boarding
15 homes and adult foster homes. This new draft expands
16 the system, through community agencies, to
17 state-assisted mentally ill, elderly and other indi-
18 viduals; it ensures that each resident both receives
19 services which maximize the ability to live indepen-
20 dently and is appropriately placed.

21 This new draft will meet the needs of new resi-
22 dents entering a boarding home or adult foster home
23 and sets the system in place for the Department of
24 Human Services' implementation of new boarding home
25 regulations which require provision of services based
26 on assessments and individual plans of care.

27 This initiative is a result of a 1983 Blaine
28 House Conference on Aging resolution.

29 6296031684