

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 605

6
7 H.P. 425 House of Representatives, February 19, 1985
8 Reference to the Committee on Human Resources suggested and ordered
9 printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

11 Cosponsored by Representative Murphy of Kennebunk, Senator Gill of
Cumberland and Senator Danton of York.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Relating to Contracts for Children's
18 Placement at Residential Treatment
19 Facilities.
20

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

23 Sec. 1. 22 MRSA §8107, sub-§1, as enacted by PL
24 1983, c. 629, §2, is amended to read:

25 1. Number; placement. The limitations on the
26 number of children in children's homes shall not pro-
27 hibit the placement of more than the allowed number,
28 if the purpose of the placement is to keep siblings
29 together, or if there is a demonstrated need for
30 placement of a child and beds are available. The
31 commissioners shall develop rules and procedures for
32 placements to children's homes.

33 Sec. 2. 22 MRSA §§8108 and 8109 are enacted to
34 read:

1 §8108 Contracts

2 Contracts with children's homes shall be devel-
3 oped in accordance with the following provisions.

4 A. Each contract shall state clearly the reasons
5 leading to the number of children to be placed
6 and for the rates established for payment.

7 B. The determination of placements shall be
8 based upon most recent prior usage by the State
9 and overall state policies regarding services to
10 children.

11 C. The determination of rates shall be based
12 upon actual allowable historical costs of provid-
13 ing services.

14 D. Contracts shall be for 2-year periods and be
15 in accordance with biennial appropriations for
16 these services. The commissioner shall identify
17 all available funds for children's home services
18 in their biennial budget requests, including num-
19 bers of children to be placed.

20 §8109. Advisory group

21 The commissioner shall establish an advisory
22 group representing all children's homes in the State
23 and shall meet at least annually with this group to
24 review rate and placement policies and procedures.

25 STATEMENT OF FACT

26 This bill is necessary to clarify procedures in
27 contracts developed by the State for placing children
28 at residential treatment facilities. In recent
29 years, the contract procedure has been lagging sub-
30 stantially with the result that: First, contracts
31 have not been signed until well into the contract
32 year and 2nd, the number of "slots" or beds con-
33 tracted for is well below the number of children pre-
34 viously served. This has occurred regularly for the
35 past 3 to 5 years. When additional children in need
36 of placement are referred to the facility, extreme

1 delays are incurred. Children and families in need
2 do not receive ready and equal access to the most ap-
3 propriate treatment setting.

4 By setting more specific provisions with respect
5 to what the contract should include and establishing
6 an advisory group from the residential treatment fa-
7 cilities to the State, it is expected that the con-
8 tract procedure can be streamlined and smoothed.
9 Residential treatment facilities play an important
10 part in the continuance of services available to spe-
11 cial needs of children throughout the State and can-
12 not afford to be disrupted by administrative problems
13 created by a very complex state contract system.

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