

MAINE STATE LEGISLATURE

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1 (After Deadline)
2 FIRST REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1385

8 H.P. 964

House of Representatives, April 25, 1985

9 Approved for introduction by a majority of the Legislative Council
10 pursuant to Joint Rule 27.

11 Reference to the Committee on Human Resources suggested and ordered
printed.

EDWIN H. PERT, Clerk

Presented by Representative Nelson of Portland.

12 Cosponsored by Senator Pearson of Penobscot, Representative Murphy
of Kennebunk and Speaker Martin of Eagle Lake.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-FIVE
17

18 AN ACT to Prevent Developmental Disabilities
19 in Maine.
20

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

23 Sec. 1. 22 MRSA c. 962 is enacted to read:

24 CHAPTER 962

25 PREVENTION OF DEVELOPMENTAL DISABILITIES

26 §3571. Prevention of developmental disabilities

27 1. Prevention of developmental disabilities; De-
28 partment of Human Services. The Department of Human
29 Services shall serve as the principal agency for the
30 primary prevention of developmental disabilities in
31 the State and shall provide services for pregnant
32 women and new mothers to minimize the likelihood of
33 their having a developmentally disabled child. In

1 particular, the department shall conduct professional
2 education to assure that the best available preven-
3 tions techniques are utilized by health care profes-
4 sionals in the State and shall assure that access to
5 prenatal services exists for all women of childbear-
6 ing age in the State.

7 2. Counseling and support services; Department
8 of Mental Health and Mental Retardation. The Depart-
9 ment of Mental Health and Mental Retardation shall
10 institute programs of family counseling and support
11 services for families with developmentally disabled
12 children aged 0 to 5 years. The purpose of these
13 counseling and support services shall be to increase
14 the family's understanding of the child's special
15 needs and to enhance family members' abilities to
16 cope with the physical and emotional strains experi-
17 enced by families with handicapped children.

18 3. Preschool coordination projects; Department
19 of Educational and Cultural Services. The Department
20 of Educational and Cultural Services through the pre-
21 school coordination projects shall assure the provi-
22 sion of comprehensive developmental services, includ-
23 ing physical therapy, speech and language therapy and
24 occupational therapy to preschool handicapped or de-
25 layed children. To the maximum extent possible, these
26 programs shall make use of existing 3rd party payors
27 and coordinate services with local resources. In in-
28 stances where needed services are not available, the
29 department shall use authorized funds to enable pre-
30 school coordination projects to work with local
31 providers, including public and private agencies and
32 school units to develop new or expand existing ser-
33 vice to meet these needs.

34 In addition, the Department of Educational and Cul-
35 tural Services shall assure that comprehensive health
36 educational programs are available in state schools
37 and that teacher training programs in the State in-
38 clude preparation in conduct of health educational
39 programs.

40 §3572. Use of private agencies to deliver services

41 Private agencies shall be used as appropriate to
42 carry out the implementation of initiatives to pre-

1 vent developmental disabilities in cooperation with
2 the respective departments so that State Government
3 agencies do not duplicate existing resources in the
4 community and so that all available resources are
5 used effectively to rapidly achieve the goal of pre-
6 venting developmental disabilities in the State.

7 §3573. Reporting

8 The Department of Human Services, Department of
9 Mental Health and Mental Retardation and Department
10 of Educational and Cultural Services shall by January
11 of each year submit a joint report to the joint
12 standing committee of the Legislature having juris-
13 isdiction over human resources regarding the prevention
14 activities conducted over the past fiscal year, plans
15 for the succeeding year and a report on the incidence
16 rate of births of developmentally disabled children
17 in the State.

18 Sec. 2. Appropriation. The following funds are
19 appropriated from the General Fund to carry out the
20 purposes of this Act.

	<u>1985-86</u>	<u>1986-87</u>
21		
22	<u>HUMAN SERVICES, DEPART-</u>	
23	<u>MENT OF</u>	
24	Bureau of Health	
25	All Other	\$50,000 \$50,000
26	These funds are to	
27	provide for the edu-	
28	cation of health pro-	
29	fessionals to improve	
30	prevention practices,	
31	including continuing	
32	education of physi-	
33	cians in perinatal	
34	care and for increas-	
35	ing training for fam-	
36	ily practice resi-	
37	dents, nursing stu-	
38	dents and allied	
39	health professions'	
40	students in ways to	
41	prevent developmental	
42	disabilities.	

1	Bureau of Health		
2	All Other	\$25,000	\$25,000
3	These funds are to		
4	develop a statewide		
5	media campaign to en-		
6	courage prevention		
7	behavior by pregnant		
8	women, including		
9	seeking prenatal care		
10	early in pregnancy.		
11	Bureau of Health		
12	All Other	\$30,000	
13	These funds are to		
14	design an evaluation		
15	system, including a		
16	data system for eval-		
17	uating the impact of		
18	prevention program on		
19	the prevalence of de-		
20	velopmental disabili-		
21	ties in Maine.		
22	Bureau of Health		
23	All Other	\$20,000	
24	These funds are to		
25	support pilot		
26	projects in child		
27	care education for		
28	teenage women.		
29	DEPARTMENT OF HUMAN SER-		
30	VICES	_____	_____
31	TOTAL	\$125,000	\$75,000
32	<u>EDUCATIONAL AND CULTURAL</u>		
33	<u>SERVICES, DEPARTMENT OF</u>		
34	Division of Special		
35	Education		
36	All Other	\$75,000	\$75,000

1 These funds are to
 2 provide funds to ex-
 3 pand the preschool
 4 coordination projects
 5 for direct services,
 6 such as physical
 7 therapy, speech and
 8 language therapy and
 9 occupational therapy
 10 for preschool devel-
 11 opmentally disabled
 12 children and their
 13 families.

14	DEPARTMENT OF EDUCATIONAL		
15	AND CULTURAL SERVICES	_____	_____
16	TOTAL	\$75,000	\$75,000

17 MENTAL HEALTH AND MENTAL
 18 RETARDATION, DEPARTMENT
 19 OF

20	Office of Children's		
21	Services		
22	All Other	\$75,000	\$75,000

23 These funds are to
 24 provide for estab-
 25 lishment of a program
 26 of family counseling
 27 and support services
 28 for families with de-
 29 velopmentally dis-
 30 abled children age 0
 31 to 5 years to mini-
 32 mize the long-term
 33 severity of the dis-
 34 ability. This program
 35 will be carried out
 36 through the Preschool
 37 Handicapped Coordina-
 38 tion Programs.

39	DEPARTMENT OF MENTAL		
40	HEALTH AND MENTAL RETAR-	_____	_____
41	DATION		
42	TOTAL	\$75,000	\$75,000

1

STATEMENT OF FACT

2 The prevention of developmental disabilities re-
3 quires the delivery of services that are the respon-
4 sibility of departments of State Government, private
5 health agencies, educational institutions and indi-
6 vidual health care providers. These services are de-
7 tailed in the "Report of the Select Committee for the
8 Prevention of Developmental Disabilities," dated Jan-
9 uary 1985. To assure the availability of these ser-
10 vices for all who need them in Maine will require a
11 coordinated effort by the Department of Human Ser-
12 vices, Department of Mental Health and Mental Retar-
13 dation and Department of Educational and Cultural
14 Services. The coordination may be achieved through
15 existing joint committees of these departments. This
16 bill will expand the efforts of each department and
17 assure coordination of effort among the departments
18 and service agencies engaged in prevention activi-
19 ties.

20 Developmentally disabled individuals face many
21 difficulties in life, require special treatment and
22 cause anguish to and sacrifice by their families.

23 In addition, the treatment and care of develop-
24 mentally disabled individuals cost the State millions
25 of dollars each year, expenditures which could have
26 been avoided if prevention activities been pursued
27 during pregnancy.

28 Developmental disabilities can be prevented at
29 far lower cost than the cost of treatment of develop-
30 mental disabilities.

31 A plan for prevention of developmental disabili-
32 ties in Maine has been prepared by a Select Committee
33 for the Prevention of Developmental Disabilities.

34 This plan stipulates some specific steps that
35 should be undertaken by the State. These build upon
36 the existing programs of the Department of Human Ser-
37 vices, Department of Mental Health and Mental Retar-
38 dation and the Department of Educational and Cultural
39 Services. This bill requires that these efforts are
40 coordinated among the 3 departments and private agen-

1 cies in Maine.

2 The following recommendations will be implemented
3 through this bill:

4 1. Assure that all pregnant women in Maine re-
5 ceive early and continuous prenatal care and health
6 education and counseling by:

7 A. Increasing the rate of Medicaid reimbursement
8 for prenatal care;

9 B. Beginning Medicaid reimbursement specifically
10 for health education and counseling services;

11 C. Developing standardized health educational
12 and counseling programs for pregnant women and
13 new mothers; and

14 D. Developing and expanding special models of
15 health education and counseling for hard-to-reach
16 women who do not use the medical care system;

17 2. Provide continuing education related to the
18 prevention of developmental disabilities for the
19 State's physicians, nurses and other health profes-
20 sionals who work with mothers, infants and children;

21 3. Expand material on preventing developmental
22 disabilities in the curricula of the State's health
23 professions' educational programs at the undergradu-
24 ate, graduate and post-graduate level;

25 4. Expand and define comprehensive health educa-
26 tion in schools to include community health, consumer
27 health, environmental health, family life, growth and
28 development, nutritional health, personal health,
29 prevention and control of disease and disorders,
30 safety and accident prevention and substance abuse
31 prevention, with a focus on all aspects of health and
32 prevention of developmental disabilities in each of
33 these areas;

34 5. Ensure that coordination of the existing
35 school health educational initiatives occurs through
36 the interdepartmental committee or other appropriate
37 agency and ensure that the 3 departments allocate

1 funding for school health educational programs as
2 they relate to the prevention of developmental dis-
3 abilities;

4 6. Assure that teachers are adequately prepared
5 to teach health education by:

6 A. Providing separate degree programs for physi-
7 cal education and health education through the
8 University of Maine; and

9 B. Requiring that elementary and special educa-
10 tion teacher receive a health education methods'
11 course as part of their degree program;

12 7. Conduct a demonstration in-school nursery and
13 child care service;

14 8. Promote and provide incentives for teenage
15 drivers to participate in proven safety programs,
16 such as the defensive driving course and incentives
17 to encourage the use of automobile safety equipment,
18 such as seat belts, child auto safety seats and
19 helmets. Support legislation mandating seat belt use;

20 9. Develop a long range public educational cam-
21 paign in order to:

22 A. Publicize the causes and consequences of de-
23 velopmental disabilities to generate public sup-
24 port and understanding of prevention efforts; and

25 B. Educate the public about the need for early
26 prenatal care and the effects of alcohol consump-
27 tion, drug use and smoking during pregnancy;

28 10. Increase funding for preschool projects to
29 assure that children from birth to age 5 years with
30 developmental disabilities receive needed specialty
31 services, such as family counseling and support ser-
32 vices, occupational therapy, physical therapy, speech
33 and language therapy and mental health services;

34 11. Support the efforts of the interdepartmental
35 coordinating committee for preschool handicapped
36 children in developing a comprehensive statewide
37 plan, including identification, evaluation and refer-

1 ral services for children from birth to 3 years at
2 risk of developmental disabilities;

3 12. Improve the nutritional status of pregnant
4 women and children through increasing the enrollment
5 in the Women, Infants and Children's program (WIC)
6 by:

7 A. Expanding the availability and accessibility
8 of WIC through the use of creative alternative
9 methods of providing WIC services; and

10 B. Increasing outreach efforts;

11 13. Instruct the Department of Human Services,
12 Department of Educational and Cultural Services and
13 Department of Mental Health and Mental Retardation to
14 develop a coordinated effort to implement the recom-
15 mendations of this Select Committee for the Preven-
16 tion of Developmental Disabilities and to provide an
17 annual report of activities to the Governor and the
18 Legislature;

19 14. Develop an evaluation system to measure the
20 impact of each prevention program; and

21 15. Encourage a coordinated effort, with partic-
22 ipation from both the private sector and State Gov-
23 ernment, to support the targeting of federal and
24 state funds for services to prevent developmental
25 disabilities.

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