

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 1407

6
7 S.P. 523

In Senate, April 25, 1985

8 Referred to the Committee on Human Resources. Sent down for
9 concurrence and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Gill of Cumberland.

11 Cosponsored by Representative Kimball of Buxton and Representative
Carroll of Gray.

12 STATE OF MAINE
13

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

17 AN ACT Relating to the Availability of
18 Psychological and Psychiatric Services.
19

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

22 Sec. 1. 34-B MRSA §3601, sub-§1, as enacted by
23 PL 1983, c. 580, §7, is amended to read:

24 1. Agency. "Agency" means a person, firm, asso-
25 ciation or corporation, ~~but does not include the in-~~
26 ~~dividual or corporate professional practice of one or~~
27 ~~more psychologists or psychiatrists.~~

28 Sec. 2. 34-B MRSA §3604, sub-§3 is amended to
29 read:

30 3. Grants. The commissioner may make grants of
31 funds to any state or local governmental unit, or
32 branch of a governmental unit, or to a person, agen-
33 cy, unincorporated association or nonstock corpora-

1 tion, which applies for the funds, to be used in the
2 conduct of its mental health services.

3 A. The programs administered by the person or
4 entity shall provide for adequate standards of
5 professional services in accordance with state
6 statutes.

7 B. The commissioner may require the person or
8 entity applying for funds to produce evidence
9 that appropriate local, governmental and other
10 funding sources have been sought to assist in the
11 financing of its mental health services.

12 C. After negotiation with the person or entity
13 applying for funds, the commissioner may execute
14 a contract or agreement for the provision of men-
15 tal health services which reflects the commitment
16 by the person or entity of local, governmental
17 and other funds to assist in the financing of its
18 mental health services.

19 D. Beyond the commissioner's assuring through
20 program monitoring and auditing activities that
21 an equitable distribution of the funds committed
22 by contract or agreement to assist in the financ-
23 ing of mental health services are actually pro-
24 vided, it shall be the prerogative of the person
25 or entity providing services to apportion other
26 nonstate funds in an appropriate manner in ac-
27 cordance with its priorities, service contracts
28 and

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STATEMENT OF FACT

2 This bill allows the Department of Mental Health
3 and Mental Retardation broader flexibility in con-
4 tracting for mental health services. The Concannon
5 Commission on the availability of services to special
6 needs children identified the serious problem of in-
7 adequate services throughout the State. Permitting
8 the department to contract with selected individuals
9 and professional corporations of psychologists or
10 psychiatrists will assist in meeting some of those
11 needs.

12 This bill is consistent with the department's au-
13 thority under the Maine Revised Statutes, Title 34-B,
14 section 1208, to make agreements with community agen-
15 cies, including a firm, partnership or business cor-
16 poration operated for profit.

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