

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 1670

S.P. 558

In Senate, May 26, 1987

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

JOY J. O'BRIEN, Secretary of the Senate  
Presented by Senator GAUVREAU of Androscoggin.

STATE OF MAINE

IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND EIGHTY-SEVEN

1 AN ACT to Establish a State Supplemental  
2 Insurance Program for Mentally  
3 Impaired Individuals.  
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5 Be it enacted by the People of the State of Maine as  
6 follows:

7 Sec. 1. 22 MRSA §3174-D is enacted to read:

8 §3174-D. Interim assistance agreement

9 The department, with the approval of the Governor  
10 and on behalf of the State, may enter into an agree-  
11 ment with the United States Social Security Adminis-  
12 tration for the purpose of receiving reimbursement  
13 for interim assistance payments as provided by the  
14 United States Social Security Act.

1           Sec. 2. 34-B MRSa §1214 is enacted to read:  
2       §1214. Interim assistance payments

3           The department shall establish and maintain a  
4 nonlapsing revolving fund to provide interim assist-  
5 ance payments to Supplemental Security Income recipi-  
6 ents:

7           1. Benefits for hospitalization. Whose benefits  
8 have been terminated while they were hospitalized and  
9 who are reapplying for benefits because of their re-  
10 lease from the hospital; or

11           2. Benefits when no longer able to work. Whose  
12 benefits have been terminated because they returned  
13 to work and who are reapplying for benefits because  
14 they have suffered a relapse and are no longer able  
15 to work.

16           These benefits shall be provided until their Supple-  
17 mental Security Income application has been acted on.  
18 The fund shall be reimbursed, pursuant to Title 22,  
19 section 3174-D, for interim assistance payments made  
20 under this section.

21           Sec. 3. Appropriation. The following funds are  
22 appropriated from the General Fund to carry out the  
23 purposes of this Act.

24   1987-88                   1988-89

25       MENTAL HEALTH AND MENTAL RE-  
26 TARDATION, DEPARTMENT OF

27       Supplemental Security In-  
28       come Assistance Program

29           All Other   \$173,806           \$102,402

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STATEMENT OF FACT

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One of the most significant problems facing mentally ill and disabled persons today is the federal policy which requires abrupt termination of all United States Supplemental Security Income benefits once a person between 21 and 65 years of age has been a patient in a state psychiatric hospital for a full month.

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Without this income, the individual's ability to keep a home or an apartment in the community is jeopardized. Current mental health care policy has resulted in more frequent but shorter periods of hospitalization for mentally ill individuals than was the case 20 years ago. The result is that patients and state hospital social workers are constantly faced with the problem of finding money and locating scarce housing each time a patient is ready for release.

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Patients do not have any money or a place to live when they leave the hospital. Because they have also lost their Medicaid benefits, they are even unable to pay for the medicines that help control the symptoms of their illness and prevent rehospitalization.

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To summarize, current United States Supplemental Security Income policy results in a further disruption of the lives of hundreds of mentally ill and disabled persons, increased homelessness, delayed discharges, increased burdens on families and local welfare agencies, and increased likelihood that a mentally ill person will be rehospitalized.

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This bill attempts to alleviate those problems as follows.

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1. This bill establishes an interim assistance payment program utilizing General Fund dollars. This program, currently allowed under United States Social Security Administration policy but not implemented in this State, will be available, upon state hospital discharge, to United States Supplemental Security Income recipients whose benefits have been terminated after a 30-day hospitalization to be used for meeting basic food, clothing and housing needs until United

1 States Supplemental Security Income payments are re-  
2 sumed.

3 The only requirement for implementation of this  
4 program is written agreement between the United  
5 States Social Security Administration and the State.  
6 A key provision of this program is that, with prior  
7 authorization from the individual, the State is reim-  
8 bursed on a dollar-for-dollar basis the amount of as-  
9 sistance provided to the individual from the first  
10 retroactive payment to the individual. Based on  
11 length of stay provided by Augusta Mental Health In-  
12 stitute and Bangor Mental Health Institute, we expect  
13 that this program will benefit over 160 persons.

14 The required agreement with the United States So-  
15 cial Security Administration will be implemented by  
16 the Department of Human Services. The Department of  
17 Mental Health and Mental Retardation will administer  
18 the program at each hospital.

19 2. This bill appropriates funds so that United  
20 States Supplemental Security Income recipients will  
21 continue to receive the equivalent of United States  
22 Supplemental Security Income benefits, \$346 per  
23 month; for a maximum of 3 months while hospitalized,  
24 but only if such funds are required to maintain hous-  
25 ing in the community.

26 Determination of the need for these funds will be  
27 made by the hospital social worker. This will avoid  
28 the problem of locating scarce housing resources each  
29 time a patient is ready for release.

30 This section also provides funds so that each  
31 hospitalized United States Supplemental Security In-  
32 come recipient will receive a \$35 monthly stipend for  
33 personal needs, such as toiletries, clothing, phone  
34 calls, transportation and entertainment. This is  
35 equivalent to the allowance given to a nursing home  
36 or boarding home resident for these personal needs.

37 3. United States Supplemental Security Income  
38 payments to persons over 65 years of age in Medicaid  
39 certified state hospital nursing homes is \$25 a  
40 month, with another \$10 added by the State; but their  
41 fellow patients between 22 and 64 years of age, who

1 certainly have similar personal needs, are not eligi-  
2 ble for United States Supplemental Security Income  
3 payments. Approximately 25% of the patients at Au-  
4 gusta Mental Health Institute and Bangor Mental  
5 Health Institute, about 111 patients, have had long  
6 hospitalizations and have never received United  
7 States Supplemental Security Income benefits. These  
8 patients have no funds to meet personal needs and are  
9 at the mercy of informal systems and their own inge-  
10 nuity for meeting these needs. This bill provides  
11 funds so that each of these patients will receive \$35  
12 a month to meet personal needs.

13 4. Because of medical improvement or return to  
14 work, approximately 130 individuals are found no  
15 longer medically disabled by the State's Disability  
16 Determination Services, DDS. This number includes 33  
17 people with mental impairments on United States Sup-  
18 plemental Security Income and 9 on Supplemental Secu-  
19 rity Disability Income.

20 Mental illness is not unlike other chronic ill-  
21 nesses in that, while there may be significant peri-  
22 ods of good health resulting in a return to work and  
23 a finding by Disability Determination Services of "no  
24 longer impaired," there may also be relapses which  
25 impair an individual's ability to function. When  
26 this happens, a mentally ill person may not be able  
27 to work and must reapply for disability benefits.

28 The average time for this process is 3 months.  
29 During this period, a mentally disabled person will  
30 be in jeopardy of losing his home.

31 This bill appropriates funds to Disability Deter-  
32 mination Services for interim assistance payments to  
33 individuals who were mentally impaired, then found no  
34 longer mentally impaired, but who then suffer a  
35 relapse.

36 These funds will be returned to the State on a  
37 dollar-for-dollar basis through the interim assist-  
38 ance agreement outlined in this bill.

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