

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(Emergency)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

No. 2685

S.P. 1028

In Senate, September 15, 1988

Approved for Introduction by a Majority of the Legislative Council pursuant to Joint Rule 26.

Received by the Secretary of the Senate on September 12, 1988. Referred to the Committee on Human Resources and 1,400 ordered printed pursuant to Joint Rule 14.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator BUSTIN of Kennebec.

Cosponsored by Senator BALDACCI of Penobscot,
Representative CARROLL of Gray.

STATE OF MAINE

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

1 AN ACT to Establish the Board of Overseers of the
2 Augusta and Bangor Mental Health Institutes.
3

4 Emergency preamble. Whereas, Acts of the
5 Legislature do not become effective until 90 days
6 after adjournment unless enacted as emergencies; and

7 Whereas, the Augusta Mental Health Institute has
8 recently lost its license to receive Medicare

1 reimbursement from the Federal Government; and

2 Whereas, the Joint Select Committee to Study
3 Overcrowding at the Augusta Mental Health Institute
4 and the Bangor Mental Health Institute has identified
5 substantial deficits at both of these state
6 facilities; and

7 Whereas, the Maine State Employees Association and
8 the American Federation of State, County and Municipal
9 Employees have recently filed a grievance against the
10 Augusta Mental Health Institute for failure to provide
11 safe working conditions; and

12 Whereas, in order for the State to take immediate
13 action to correct these problems, work must begin as
14 soon as possible following the adjournment of the
15 Third Special Session of the 113th Legislature; and

16 Whereas, in the judgment of the Legislature, these
17 facts create an emergency within the meaning of the
18 Constitution of Maine and require the following
19 legislation as immediately necessary for the
20 preservation of the public peace, health and safety;
21 now, therefore,

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

24 Sec. 1. 3 MRSA §507, sub-§10, ¶B, as repealed
25 and replaced by PL 1987, c. 769, Pt. A, §4, is amended
26 to read:

27 B. Unless continued or modified by law, the
28 following Group G-2 independent agencies shall
29 terminate, not including the grace period, no
30 later than June 30, 1990. The Board of Emergency
31 Municipal Finance, the Finance Authority of Maine
32 and the Maine Municipal Bond Bank shall not
33 terminate, but shall be reviewed by the
34 Legislature no later than June 30, 1990:

35 (1) Board of Emergency Municipal Finance;

- 1 (2) Finance Authority of Maine;
 2 (3) Maine Municipal Bond Bank;
 3 (4) State Liquor Commission;
 4 (5) Capitol Planning Commission;
 5 (6) State Board of Property Tax Review;
 6 (7) Maine Vocational-Technical Institute
 7 System;
 8 (8) Maine Commission for Women; and
 9 (9) Maine Human Rights Commission; and
 10 (10) Board of Overseers of the Augusta and
 11 Bangor Mental Health Institutes.

12 Sec. 2. 5 MRSA §12004-G, sub-§28-A is enacted
 13 to read:

14	<u>28-A. Mental</u>	<u>Board of</u>	<u>Legislative</u>	<u>34-B</u>
15	<u>Health and Mental</u>	<u>Overseers of</u>	<u>Per Diem</u>	<u>MRSA</u>
16	<u>Retardation</u>	<u>the Augusta</u>		<u>\$1242</u>
17		<u>and Bangor</u>		
18		<u>Mental Health</u>		
19		<u>Institutes</u>		

20 Sec. 3. 5 MRSA §12004-I, sub-§60, as enacted by
 21 PL 1987, c. 786, §5, is repealed.

22 Sec. 4. 5 MRSA §12004-I, sub-§62-A is enacted
 23 to read:

24	<u>62-A. Mental</u>	<u>Advisory</u>	<u>\$25/day</u>	<u>\$34-B MRSA</u>
25	<u>Health</u>	<u>Committee</u>	<u>Legislative</u>	<u>\$1246</u>
26	<u>and Mental</u>	<u>to the</u>	<u>Per Diem</u>	
27	<u>Retardation</u>	<u>Board of</u>	<u>for Legis-</u>	
28		<u>Overseers</u>	<u>lators</u>	
29		<u>of the</u>		
30		<u>Augusta</u>		

1 and Bangor
2 Mental
3 Health
4 Institutes

5 Sec. 5. 34-B MRSA §1209, sub-§7, as amended by
6 PL 1985, c. 712, §1, is further amended to read:

7 7. Duties. The council shall act in an advisory
8 capacity to the commissioner in the development of the
9 state mental health plan and in the appointment of a
10 Director of the Bureau of Mental Health. In addition,
11 the council shall report annually to the joint
12 standing committee of the Legislature having
13 jurisdiction over human resources as part of a
14 regularly scheduled meeting early in each legislative
15 session. The council shall not advise the
16 commissioner with respect to the plan of operations as
17 defined in chapter 1, subchapter II-B.

18 Sec. 6. 34-B MRSA §1209, sub-§8 is enacted to
19 read:

20 8. Monitoring and evaluation. In the event that
21 the Board of Overseers of the Augusta and Bangor
22 Mental Health Institutes ceases to exist pursuant to
23 section 1251, the council shall annually monitor and
24 evaluate the institutes with the evaluation procedure
25 developed by the board with respect to standards of
26 care, operation and other requirements in the plan of
27 operations pursuant to section 1243, subsection 16.
28 The council shall report its findings to the Governor
29 and the joint standing committee of the Legislature
30 having jurisdiction over audit and program review
31 including any proposed implementing legislation.

32 Sec. 7. 34-B, chapter 1, subchapter II-B is
33 enacted to read:

34 SUBCHAPTER II-B

35 Board of Overseers of the
36 Augusta and Bangor Mental Health Institutes

37 §1241. Definitions

1 As used in this chapter, unless the context
2 indicates otherwise, the following terms have the
3 following meanings.

4 1. Advisory committee. "Advisory committee"
5 means the Advisory Committee to the Board of Overseers
6 of the Augusta and Bangor Mental Health Institutes.

7 2. Board. "Board" means the Board of Overseers
8 of the Augusta and Bangor Mental Health Institutes.

9 3. Institutes. "Institutes" means the Augusta
10 Mental Health Institute and the Bangor Mental Health
11 Institute.

12 §1242. Board; establishment; membership; compensation

13 1. Establishment. The Board of Overseers of the
14 Augusta and Bangor Mental Health Institutes is
15 established in accordance with Title 5, chapter 379.
16 The board is established to develop, establish and
17 monitor the implementation of standards of care for
18 the Augusta Mental Health Institutes and the Bangor
19 Mental Health Institute.

20 2. Appointment and membership. The board shall
21 consist of the following persons:

22 A. The Executive Director of the Maine Health
23 Care Finance Commission;

24 B. The Commissioner of Mental Health and Mental
25 Retardation;

26 C. The chief advocate of the Office of Advocacy
27 within the Department of Mental Health and Mental
28 Retardation;

29 D. One person appointed by the Governor who shall
30 have experience implementing the results of a
31 class action suit brought by residents of a state
32 institution seeking to improve the conditions of
33 their residency;

1 E. One person appointed by the Governor who is a
2 consumer of mental health services;

3 F. One person appointed by the Governor who
4 represents a community mental health center;

5 G. One person appointed by the Governor who has
6 significant knowledge of and experience in
7 3rd-party insurance reimbursement and in federal
8 Medicare and state Medicaid standards; and

9 H. One person appointed by the Governor who is a
10 parent or relative of a resident of a state mental
11 health or mental retardation institution.

12 All persons appointed by the Governor in paragraphs D
13 to H shall be subject to review by the joint standing
14 committee of the Legislature having jurisdiction over
15 human services and to confirmation by the Senate.

16 The Governor shall annually designate a chairperson
17 from among the members appointed under paragraphs D to
18 H.

19 3. Terms of office; vacancies. The term of
20 office of the appointed members shall be 3 years,
21 except for the first appointed members. Of the first
22 appointed members, the member representing a community
23 mental health center and the member who is a parent or
24 relative of a resident of a state mental health or
25 mental retardation institution shall each serve a term
26 of one year. The member who is a consumer of mental
27 health services and the member with knowledge and
28 experience in 3rd-party insurance reimbursement and in
29 federal Medicare and state Medicaid standards shall
30 each serve a term of 2 years. The member with
31 experience in the implementation of the results of a
32 class action suit shall serve a term of 3 years.

33 A. Upon expiration of a member's term, the member
34 shall serve until a successor is qualified and
35 appointed. Any vacancy shall be filled by
36 appointment for the unexpired term. Any member

1 may be removed for cause, which shall include
2 excessive absences from meetings of the board.
3 Excessive absence shall be defined by the board.

4 B. A vacancy on the board shall be filled for the
5 unexpired term in the same manner in which an
6 appointment is made.

7 4. Meetings. The board shall meet at least once
8 a month. Additional meetings shall be held as
9 necessary to conduct the business of the board and may
10 be convened at the call of the chairman or at the call
11 of 2 members. Meetings shall be announced in advance
12 and open to the public to the extent required by Title
13 1, chapter 13, subchapter 1.

14 5. Quorum. Five members of the board shall
15 constitute a quorum. No action may be taken by the
16 board except by affirmative vote of the majority of
17 those present and voting.

18 6. Compensation. Members who are not state
19 employees shall be compensated in accordance with
20 Title 5, chapter 379.

21 §1243. Duties

22 The board shall have the following powers and
23 duties.

24 1. Develop, establish, and monitor implementation
25 of standards. The board shall develop, establish by
26 rules, standards of care and monitor the
27 implementation of standards of care for the Augusta
28 Mental Health Institute and the Bangor Mental Health
29 Institute and determine requirements for community
30 services. The board may use any plans designed by the
31 Bureau of Mental Health, the Mental Health Advisory
32 Council, or any other organization deemed appropriate
33 by the chairman.

34 2. Develop budget for the institutes. The board,
35 in conjunction with the commissioner, shall develop an
36 annual budget for each institute and shall carefully

1 monitor implementation of the budget. If the board
2 and the commissioner fail to agree to a budget for the
3 institutes, the board may submit a separate proposed
4 budget for each institute to the Governor and the
5 Legislature.

6 3. Develop, implement, and monitor a plan of
7 operations. The board shall develop, implement, and
8 monitor a plan of operations for the institutes with
9 respect to the overall management, operation and
10 provision of care at each institute.

11 A. This plan shall identify activities necessary
12 to comply with standards of care developed by the
13 board. The plan shall provide that each institute
14 meet the standards of care within 5 years of the
15 board's adoption of the standards.

16 B. This plan shall also identify needed community
17 services needed to implement the plan of
18 operations.

19 C. In developing, implementing and monitoring the
20 plan of operations, the board shall work closely
21 with the Director of the Bureau of Mental Health.

22 4. Employ an executive director and staff. The
23 board shall appoint a full-time executive director to
24 serve at the pleasure of the board. The executive
25 director is entitled to compensation in an amount to
26 be determined by the board. The executive director
27 shall perform those duties as assigned by the board.
28 The board may employ such other staff as it deems
29 necessary. The executive director may make
30 recommendations to the board and shall serve as an ex
31 officio nonvoting member of the board.

32 5. Issue an annual report. The chairman of the
33 board shall, by September 1st of each year, send to
34 the Governor and the Legislature a detailed report of
35 the work of the board for the preceding fiscal year.

36 6. Adopt rules. The board may adopt rules in
37 accordance with the Maine Administrative Procedure

1 Act, Title 5, chapter 375, pertaining to its powers
2 and duties as defined in this subchapter.

3 7. Accept grants and gifts. The board may
4 solicit, receive and accept grants, gifts, payments
5 and other funds, including federal money and advances
6 from any person, and enter into agreements with
7 respect to those grants, payments, funds and advances,
8 including agreements that involve the undertaking of
9 studies, plans, demonstrations or projects.

10 8. Contract for services. The board, in
11 accordance with Title 5, section 1831, may contract
12 with anyone other than board members for any services
13 necessary to carry out the activities of the board.
14 Any party entering into a contract with the board
15 shall be prohibited from releasing, publishing or
16 otherwise using any information made available to it
17 under its contracted responsibilities without the
18 specific written authorization of the chairman of the
19 board.

20 9. Advise in appointment of director. The board
21 shall advise the commissioner with respect to the
22 appointment of the Director of the Bureau of Mental
23 Health.

24 10. Conduct investigations and require filing of
25 information. The board may conduct investigations,
26 require the filing of information, and subpoena
27 witnesses, papers, records, documents and all other
28 data sources relevant to its work for adjudicatory
29 proceedings that it may conduct. The board may
30 enforce its rules and the duties imposed by this
31 subchapter on the institutes and department through
32 the Superior Court as provided by section 1250.

33 11. Conduct audits. The board may, during normal
34 business hours and upon reasonable notification,
35 audit, examine and inspect any records of either the
36 Augusta Mental Health Institute or the Bangor Mental
37 Health Institute to the extent that the activities are
38 necessary to carry out its responsibilities. To the
39 extent feasible, the board shall avoid duplication of

1 audit activities regularly performed by major
2 3rd-party payors or other auditing agencies.

3 12. Hold hearings and conduct adjudicatory
4 proceedings. The board may conduct public hearings
5 and adjudicatory proceedings necessary to carry out
6 its responsibilities. Adjudicatory proceedings of the
7 board shall be governed by Title 5, chapter 375,
8 subchapter IV.

9 13. Charge fees. The board may charge and retain
10 fees to recover the reasonable costs incurred in
11 reproducing and distributing reports or in responding
12 to requests for information.

13 14. Cooperate with the advisory committee. The
14 board shall cooperate with the advisory committee as
15 defined in section 1246. The board may not implement
16 new policies, adopt rules or propose recommendations
17 without prior review by the advisory committee. The
18 board shall provide the advisory committee in a timely
19 manner with copies of policies, rules and
20 recommendations that the board is proposing for
21 adoption or implementation.

22 15. Advise the Bureau of Mental Health. The
23 board shall advise the Bureau of Mental Health with
24 respect to the state mental health plan.

25 16. Develop an evaluation procedure. The board
26 shall develop an evaluation procedure by which
27 compliance by the institutes with the rules of the
28 board, the standards of care and other requirements
29 within the plan of operations as defined in section
30 1244 can be measured.

31 A. This evaluation procedure and the results of
32 evaluations performed by the board shall be
33 provided to the Governor, the State Mental Health
34 Advisory Council and to the joint standing
35 committee of the Legislature having jurisdiction
36 over audit and program review.

37 §1244. Plan of operation

1 The board shall by rule develop a plan of
2 operation for each institute. The board may use any
3 plans developed by the department, the Mental Health
4 Advisory Council, or any other organization deemed
5 appropriate by the board. This plan shall include,
6 but not be limited to:

7 1. Normative settings. Creation of an
8 environment within the institutes which is as
9 culturally normative as possible for each individual
10 resident and which assures the right of each resident
11 to the least restrictive and most normal living
12 conditions possible;

13 2. Individualized programs. Creation of
14 individualized developmental and mental health
15 programming which recognizes the potential for
16 individual growth and improvement;

17 3. Case management services. Creation of a case
18 management system which integrates the medical,
19 psychological, and related services into a coordinated
20 program for each individual resident including
21 regular, planned assessment and provision of
22 educational, mental health, habilitation,
23 rehabilitation and other social support services;

24 4. Admission. Establishment of admission
25 requirements that take into consideration a prior
26 determination that the Augusta Mental Health Institute
27 or the Bangor Mental Health Institute is the least
28 restrictive habilitation setting feasible for that
29 person;

30 5. Staff ratios. Development of patient-staff
31 ratios which assure adequate care and treatment.
32 These ratios shall be designed on a ward-by-ward basis
33 and shall be based on the needs of the individual
34 patients. Sufficient personnel shall be provided
35 within the limits of the funds available to assure
36 adequate social, occupational, vocational, and other
37 habilitative services to meet the needs of the
38 residents;

39 6. Programming. Development of an individual

1 plan of care for each resident. The plan of care
2 shall be reviewed at least annually by the case
3 manager to assure that the plan continues to be
4 appropriate;

5 7. Community services. Development of community
6 facilities and services which are necessary to
7 maintain the census at the Augusta Mental Health
8 Institute and the Bangor Mental Health Institute at
9 250 residents; and

10 8. Citizen advocates. Creation of a program for
11 the identification of a citizen advocate or relative
12 who is involved in the progress of and planning for
13 each resident.

14 §1245. Reporting requirements

15 The institutes shall provide the board in a timely
16 manner with information requested by the board to
17 implement the provisions of this subchapter.

18 1. Type of information to be reported. The board
19 may request the following information from the
20 institutes:

21 A. Financial information, including costs of
22 operation, revenues, assets, liabilities, fund
23 balances, income, rates, charges, units of
24 services, wage and salary data and such other
25 financial information as the board deems necessary
26 for the performance of its duties;

27 B. Scope-of-service information including bed
28 capacity, by service provided, special services,
29 ancillary services, staff profiles in the
30 aggregate by specialty, and such other
31 scope-of-service information as the board deems
32 necessary for the performance of its duties;

33 C. Information on hospital admissions,
34 discharges, recommendations for placement and such
35 other information that the board may deem
36 necessary for the performance of its duties; and

1 D. Any other information requested by the board
2 that is reasonably required in order to carry out
3 the responsibilities assigned to it under the
4 terms of this subchapter.

5 §1246. Advisory committee

6 The Advisory Committee to the Board of Overseers
7 of the Augusta and Bangor Mental Health Institutes is
8 established to advise the board with respect to all
9 matters subject to this subchapter.

10 1. Appointment and membership. The advisory
11 committee shall consist of 5 members appointed by the
12 President of the Senate and the Speaker of the House
13 of Representatives, who shall serve terms of 2 years,
14 the chairman of the Mental Health Advisory Council and
15 one other member of the Mental Health Advisory Council
16 elected by the council to serve a 2-year term. The
17 President of the Senate shall appoint 2 members and
18 the Speaker of the House of Representatives shall
19 appoint 3 members to the advisory committee.

20 A. The President of the Senate and the Speaker of
21 the House of Representatives shall jointly appoint
22 the chairman from among the appointed members.
23 The chairman shall be appointed to a 2-year term
24 and shall serve until a successor is appointed.

25 B. Any vacancy occurring on the advisory
26 committee shall be filled for the unexpired term
27 in the same manner in which the appointment is
28 made.

29 2. Duties and responsibilities. The advisory
30 committee shall have the following duties and
31 responsibilities.

32 A. The advisory committee shall review the budget
33 and proposals of the board and make
34 recommendations to the board and to the President
35 of the Senate and the Speaker of the House of
36 Representatives. These recommendations may

1 include proposed legislation.

2 B. The advisory committee shall have access to
3 the same documents, records, and materials to
4 which the board has access.

5 C. The advisory committee may initiate studies
6 and investigations necessary to fulfill its
7 responsibilities and to propose recommendations.

8 D. The advisory committee may hold hearings on
9 its proposed recommendations or to solicit
10 recommendations pursuant to this subchapter.

11 3. Meetings. The advisory committee shall meet
12 at least 6 times a year and as necessary to respond in
13 a timely manner to the board with respect to review of
14 board policies and recommendations.

15 §1247. Public Information

16 Any information, except confidential information,
17 shall be made available to any person upon request,
18 provided that individual patients or health care
19 practitioners are not directly identified. The board
20 shall adopt rules governing public access to
21 information available to or developed by the board in
22 the least restrictive manner possible. The board
23 shall also adopt rules establishing criteria for
24 determining whether information not deemed
25 confidential by law shall be considered confidential.
26 The board shall establish procedures to afford notice
27 and opportunity to persons who could be affected by
28 the disclosure of information not deemed confidential
29 by law to comment in response to requests for
30 information which may be considered confidential or
31 privileged by these persons.

32 §1248. Cooperation of state agencies

33 All state agencies shall cooperate with the board
34 and advisory committee in the exercise of their powers
35 and duties. All state agencies shall provide
36 information and assistance within the scope of this

1 subchapter to the board and advisory committee in a
2 timely manner.

3 §1249. Penalties

4 Any person who knowingly violates any provision of
5 this subchapter or any valid order or rule made or
6 adopted pursuant to this subchapter, or who willfully
7 fails, neglects, or refuses to perform any of the
8 duties imposed upon that person under this subchapter,
9 shall be deemed to have committed a civil violation
10 for which a forfeiture of not more than \$1,000 a day
11 may be adjudged, unless specific penalties are
12 elsewhere provided, and provided that any forfeiture
13 imposed under this section shall not exceed \$25,000
14 for any one occurrence.

15 §1250. Enforcement

16 Upon application of the board or the Attorney
17 General, the Superior Court shall have full
18 jurisdiction to enforce the performance by the Augusta
19 Mental Health Institute, the Bangor Mental Health
20 Institute or the department of all duties imposed upon
21 them by this subchapter and any rules adopted pursuant
22 to this subchapter.

23 §1251. Sunset

24 This subchapter is repealed effective June 30,
25 1993, unless reenacted by the Legislature and approved
26 by the Governor.

27 Sec. 8. 34-B MRSA §1403, as amended by PL 1987,
28 c. 402, Pt. A, §177, is repealed.

29 Sec. 9. 34-B MRSA §3002, sub-§4, as enacted by
30 PL 1983, c. 459, §7, is amended to read:

31 4. Duties. In addition to other duties set out
32 in this Title, the director shall:

33 A. Report directly to the commissioner; and

1 B. Carry out the purpose of the bureau; and

2 C. Cooperate and work closely with the Board of
3 Overseers of the Augusta and Bangor Mental Health
4 Institutes as defined in chapter 1, subchapter
5 II-B.

6 Sec. 10. 34-B MRSA §3003, sub-§2-A is enacted
7 to read:

8 2-A. Rules consistent with chapter 1, subchapter
9 II-B. The rules adopted pursuant to this section
10 shall be consistent with and shall not conflict with
11 or duplicate the rules adopted by the Board of
12 Overseers of the Augusta and Bangor Mental Health
13 Institutes or the provisions of the plan of operations
14 as defined in chapter 1, subchapter II-B.

15 Sec. 11. 34-B MRSA §3006, as repealed and
16 replaced by PL 1987, c. 769, Pt. A, §126, is repealed
17 and the following enacted in its place:

18 §3006. State mental health plan

19 The Bureau of Mental Health, with the advice of
20 the Mental Health Advisory Council and the Board of
21 Overseers of the Augusta and Bangor Mental Health
22 Institutes, shall:

23 1. Prepare a plan. Prepare a plan, consistent
24 with the plan of operations as defined in chapter 1,
25 subchapter II-B which describes the system of mental
26 health services in each of the mental health service
27 regions and statewide. This plan shall:

28 A. Include both existing and needed service
29 resources;

30 B. Include an assessment of the roles and
31 responsibilities of mental health agencies, human
32 services agencies, health agencies and involved
33 state departments and shall suggest ways in which
34 these agencies and departments can better
35 cooperate to improve the service system;

1 C. Incorporate the Office of Community Support
2 Systems report, developed in accordance with
3 section 3004, subsection 3, paragraph C;

4 D. Be prepared biennially and be submitted to the
5 joint standing committee of the Legislature having
6 jurisdiction over human resources by December 15th
7 of every even-numbered year. The committee shall
8 review the plan and make recommendations with
9 respect to administrative and funding improvements
10 in the system; and

11 E. Be made public within the State in such a
12 manner as to facilitate public involvement; and

13 2. Encourage comprehensive participation in
14 formulation of plan. Assure that the development of
15 the plan includes the participation of community
16 mental health service providers, consumer and family
17 groups and others in annual statewide hearings, as
18 well as in informal meetings and work sessions; and

19 3. Consider community needs. Consider community
20 service needs, relate these needs to biennial budget
21 requests and incorporate necessary service initiatives
22 into a comprehensive planning document.

23 Sec. 12. 34-B MRSA §3203 is enacted to read:

24 §3203. Review

25 In the event that the provisions of chapter 1,
26 subchapter II-B, establishing the Board of Overseers
27 of the Augusta and Bangor Mental Health Institutes are
28 repealed, as provided in section 1251, the joint
29 standing committee of the Legislature having
30 jurisdiction over audit and program review shall
31 evaluate the management and operation of the mental
32 health institutes and the standard of care provided at
33 the institutes no later than 1995 and no more than
34 every 5 years thereafter. The committee shall also
35 evaluate compliance by the institutes with the
36 standards and rules established by the Board of

1 Overseers of the Augusta and Bangor Mental Health
2 Institutes pursuant to section 1243, subsection 16.
3 The committee shall report its findings and
4 recommendations, including necessary implementing
5 legislation, to the Legislature.

6 Sec. 13. Appropriation. The following funds
7 are appropriated from the General Fund to carry out
8 the purposes of this Act.

9 1988-89

10 MENTAL HEALTH AND MENTAL
11 RETARDATION, DEPARTMENT OF

12 Board of Overseers of the Augusta and Bangor
13 Mental Health Institutes

14	Positions	(2)
15	Personal Services	\$44,566
16	All Other	23,700
17	Capital Expenditures	1,821

18 Provides funds for an
19 Executive Director, a
20 Clerk Typist III, per
21 diems, consultant
22 fees, office expenses,
23 and related costs of
24 operating the board.

25
26 Total \$70,087

27 Advisory Committee to the Board of
28 Overseers of the Augusta and Bangor
29 Mental Health Institutes

30 All Other \$ 3,650

31 Provides funds for
32 committee expenses and
33 related costs.

1 1993, unless reenacted by the Legislature and approved
2 by the Governor. Following the repeal of the board,
3 the Mental Health Advisory Council will monitor
4 compliance by the institutes with the standards
5 established by the board of overseers in the plan of
6 operations. The council will report its findings
7 annually to the Governor and Legislature. The Joint
8 Standing Committee on Audit and Program Review will
9 also evaluate the institutes no later than 1995, and
10 every 5 years thereafter, following the repeal of the
11 board of overseers.

12

5826090988