

MAINE STATE LEGISLATURE

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(EMERGENCY)
THIRD SPECIAL SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

NO. 2699

H.P. 1997 House of Representatives, September 16, 1988

Approved for introduction by a majority of the
Legislative Council pursuant to Joint Rule 26.

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

EDWIN H. PERT, Clerk

Presented by Representative HALE of Sanford.

Cosponsored by Senator TUTTLE of York, Representatives
ROLDE of York and RIDLEY of Shapleigh.

STATE OF MAINE

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

1 AN ACT to Authorize the Department of Mental
2 Health and Mental Retardation to Reimburse
3 Extraordinary Costs for Special Needs.
4

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

8 Whereas, there is need for an ongoing program of
9 day treatment and residential care services

1 immediately for severely handicapped persons not now
2 eligible for services under this program; and

3 Whereas, the Department of Mental Health and
4 Mental Retardation is unable to provide the necessary
5 services within its current resources; and

6 Whereas, in the judgment of the Legislature, these
7 facts create an emergency within the meaning of the
8 Constitution of Maine and require the following
9 legislation as immediately necessary for the
10 preservation of the public peace, health and safety;
11 now, therefore,

12 Be it enacted by the People of the State of Maine as
13 follows:

14 **Appropriation.** The following funds are
15 appropriated from the General Fund to carry out the
16 purposes of this Act.

17 1988-89

18 MENTAL HEALTH AND MENTAL RETARDATION,
19 DEPARTMENT OF

20 Community Mental Health Services

21 All Other \$80,000

22 Funds to be used to
23 develop an ongoing
24 in-state community day
25 treatment and
26 residential program
27 for severely
28 handicapped persons
29 who suffer from
30 deafness and mental
31 illness or
32 retardation, or both,
33 and who are not now
34 eligible for other
35 programs as follows:
36 \$40,000 for personal
37 care assistant, day

1 treatment and
2 interpretive services;
3 and \$40,000 for
4 residential services.
5 If any person
6 receiving services
7 under this Act becomes
8 eligible for Medicaid
9 services, then that
10 portion of unused
11 funds shall lapse to
12 the General Fund. If
13 the program is not
14 developed by the
15 department within 90
16 days of the effective
17 date of this Act, then
18 these funds shall be
19 used to pay the costs
20 of out-of-state
21 treatment for persons
22 eligible for services
23 under this Act until
24 such time as an
25 in-state program is
26 developed and
27 available.

28 Emergency clause. In view of the emergency
29 cited in the preamble, this Act shall take effect when
30 approved.

31 STATEMENT OF FACT

32 This bill provides funds to be used by the
33 Department of Mental Health and Mental Retardation to
34 develop an ongoing program of day treatment and
35 residential treatment persons with extraordinary
36 special needs not otherwise eligible for the
37 provisions of these services.

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