

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 90,
L.D. 175, Bill, "An Act Related to the Office of Substance Abuse"

Amend the amendment by striking out all of section 4.

Further amend the amendment in section 7 in subsection 6 in
the last blocked paragraph in the 6th line (page 4, line 18 in
amendment) by inserting after the following: "specified," the
following: 'and'

Further amend the amendment in section 7 in subsection 6 in
the last blocked paragraph in the 8th to 11th lines (page 4,
lines 20 to 23 in amendment) by striking out the following: ";
and the reasonable financial protection of providers who have
made capital investments in the fulfillment of contract
responsibilities"

Further amend the amendment in section 11 in subsection 3 by
striking out the first sentence (page 5, lines 37 to 41 in
amendment) and inserting in its place the following: 'The office
shall provide for adequate and appropriate treatment for
alcoholics, drug abusers, drug addicts and drug-dependent persons
~~and-intoxicated-persens~~ admitted under sections 20043 to 20046
20044.'

Further amend the amendment in section 12 in subsection 4 by
striking out all of paragraphs A, B and C.

Further amend the amendment by striking out all of section
17.

Further amend the amendment in section 22 in that part
designated "§20042." by striking out all of subsection 1.

2 Further amend the amendment in section 22 in that part
4 designated "§20043." by striking out the first 3 lines (page 9,
lines 47 to 49 in amendment) and inserting in their place the
following:

6 '§20043. Acceptance for treatment of alcoholics, drug abusers,
8 drug addicts and drug-dependent persons'

10 Further amend the amendment in section 22 in that part
12 designated "§20043." in the first paragraph in the 4th and 5th
lines (page 10, lines 2 and 3 in amendment) by striking out the
14 following: "chemically dependent persons, drug abusers, drug
addicts, drug-dependent persons and intoxicated persons" and
16 inserting in its place the following: 'drug abusers, drug
addicts and drug-dependent persons and intoxicated persons'

18 Further amend the amendment in section 22 in that part
20 designated "§20043." in subsection 1 in the last 2 lines (page
10, lines 9 and 10 in amendment) by striking out the following:
22 "unless an emergency treatment order has been obtained"

24 Further amend the amendment in section 22 in that part
designated "§20044." by striking out the first 3 lines (page 10,
lines 51 and 52 and page 11, line 1 in amendment) and inserting
26 in their place the following:

28 '§20044. Voluntary treatment of alcoholics, drug abusers, drug
30 addicts and drug-dependent persons'

32 Further amend the amendment in section 22 in that part
designated "§20044." in subsection 1 by striking out the first
sentence (page 11, lines 3 to 6 in amendment) and inserting in
34 its place the following: 'An alcoholic, drug abuser, drug addict
or drug-dependent person may apply for voluntary treatment
36 directly to an approved public treatment facility.'

38 Further amend the amendment in section 22 in that part
40 designated "§20044." by striking out all of subsection 4 and
inserting in its place the following:

42 '4. Discharge. If a patient person leaves an approved
public treatment facility, ~~with--or~~ against the advice of the
44 administrator in charge of the facility, ~~--the--office--shall--make
reasonable--provisions--for--that--patient's--transportation--to
46 another--facility--or--to--the--patient's--home--If~~ and that person does
not have a home, the patient must be assisted in obtaining
48 shelter. ~~If--the--patient--is--a--minor--or--an--incompetent--person,--the
request--for--discharge--from--an--inpatient--facility--must--be--made--by
50 a--parent,--legal--guardian--or--other--legal--representative--or--by--the~~

2 ~~minor--or--incompetent,--if--the--minor--or--incompetent--was--the~~
~~original-applicant.'~~

4 Further amend the amendment by striking out all of sections
24 and 26.

6 Further amend the amendment in section 32 in that part
8 designated "\$20078." by inserting after subsection 7 the
following:

10 'B. Repeal. This section and Title 5, section 12004-G,
12 subsection 15-A are repealed July 1, 1992.'

14 Further amend the amendment in section 36 in subsection 6 by
16 inserting at the end the following: 'The director is reclassified
18 as a Comprehensive Health Planner II and assigned to the
20 Department of Human Services in order to maintain the
department's ability to provide prevention services and intervene
with or treat the persons served by the department who are
affected by alcohol and other drugs.'

22 Further amend the amendment in section 37 in the 6th line
(page 30, line 3 in amendment) by striking out the following:
24 "submit necessary recommendations for statutory changes" and
inserting in its place the following: 'report'

26 Further amend the amendment in section 38 under the caption
28 "**HUMAN SERVICES, DEPARTMENT OF**" under that part relating
30 to **Alcoholism and Drug Abuse Prevention - Human Services** by
striking out the 4th line (page 31, line 4 in amendment) and
inserting in its place the following:

32 'Personal Services (\$49,895) (\$52,510)'

34 Further amend the amendment in section 38 under the caption
36 "**HUMAN SERVICES, DEPARTMENT OF**" by striking out the last
38 2 lines (page 31, line 48 and 49 in amendment) and inserting in
their place the following:

40 '**Administration - Human Services**

42 Positions (1.0) (1.0)
44 Personal Services \$49,895 \$52,510

46 Provides funds for the
48 position of Comprehensive
Health Planner II in the
Department of Human Services.

50 **Division of Driver Education**
Evaluation Programs

2 Personal Services (\$1,500)
4 Deappropriates funds as a
6 result of the sunset
8 provision for the Driver
Education Evaluation Programs
Appeals Board.

10 DEPARTMENT OF HUMAN SERVICES
12 TOTAL (\$756,833) (\$1,045,246)'

14 Further amend the amendment in section 38 by striking out
16 all of that part designated "JUDICIAL DEPARTMENT" (page 31,
line 51 and page 32, lines 1 to 23 in amendment).

18 Further amend the bill in section 38 by striking out the
20 last line (page 32, line 26 in amendment) and inserting in its
place the following:

22 'TOTAL APPROPRIATIONS \$-0- (\$1,500)'

24 Further amend the bill by renumbering the sections to read
consecutively.

26 Further amend the amendment by striking out all of the
28 fiscal note and inserting in its place the following:

30 'FISCAL NOTE
32 1992-93

34 APPROPRIATIONS/ALLOCATIONS

36 General Fund (\$1,500)

38 This bill transfers the Driver Education Evaluation Programs
40 and the functions of the Office of Alcohol and Drug Abuse
Prevention from the Department of Human Services to the Office of
42 Substance Abuse and makes changes to several provisions relating
to the Office of Substance Abuse. The position of Director of
44 the Office of Alcohol and Drug Abuse Prevention is transferred to
the Office of the Commissioner and reclassified as a
46 Comprehensive Health Planner II. These transfers and the sunset
provision for the Driver Education Evaluation Programs Appeals
48 Board will result in a net deappropriation of \$1,500 in fiscal
year 1992-93. These amounts may require adjustment, depending on
50 the current services budget enacted by the Legislature. The
Governor's proposed adjusted current services budget affects
these programs and these estimates.

