

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 314

H.P. 223

House of Representatives, February 5, 1991

Reference to the Committee on Human Resources suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative MITCHELL of Vassalboro.

Cosponsored by Representative MANNING of Portland, Senator GILL of Cumberland and Representative SIMONDS of Cape Elizabeth.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Facilitate the Participation of Community Hospitals in the  
Development of Mental Health Services.**

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

4 Sec. 1. 22 MRSA §309, sub-§6-A is enacted to read:

6 6-A. Mental health projects. Notwithstanding subsection 6,  
8 the department shall issue a certificate of need regardless of  
10 the amount that has been credited to the Hospital Development  
12 Account if the project meets the other criteria specified in this  
14 section and if the project proposes to develop or expand services  
16 for people with a primary diagnosis of mental illness or  
18 psychiatric disorder, or people with dual diagnoses that include  
20 mental illness or psychiatric disorder and substance abuse.

22 Sec. 2. 22 MRSA §396-K, sub-§3, ¶C, as amended by PL 1989, c.  
24 588, Pt. A, §36, is further amended to read:

26 C. The commission shall approve an adjustment to a  
28 hospital's financial requirements under section 396-D,  
30 subsection 5, paragraph A, for a major or minor project if:

32 (1) The project was approved by the department under  
34 the Maine Certificate of Need Act of 1978; and

36 (2) The associated incremental annual capital and  
38 operating costs do not exceed the amount remaining in  
40 the Hospital Development Account as of the date of  
42 approval of the project by the department, after  
44 accounting for previously approved projects, except for  
46 the following types of projects for which adjustments  
48 must be approved regardless of the amount that has been  
credited to the Hospital Development Account:

(a) A project that develops or expands services  
for people with a primary diagnosis of mental  
illness or psychiatric disorder, or people with  
dual diagnoses that include mental illness or  
psychiatric disorder and substance abuse.

#### STATEMENT OF FACT

This bill allows hospitals to proceed with the development  
of mental health services regardless of the size of the Hospital  
Development Account. Hospitals that receive certificates of need  
for mental health services may develop the services and receive  
adjustments to their financial requirements.