

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 756

H.P. 528

House of Representatives, February 21, 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 DORE of Auburn.

Cosponsored by Representative CLARK of Brunswick and Representative SIMONDS of Cape Elizabeth.

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STATE OF MAINE

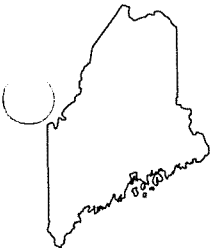
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IN THE YEAR OF OUR LORD  
NINETEEN HUNDRED AND NINETY-ONE

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**An Act to Enhance the Protection of Children Who Have Been Removed  
from Their Homes.**

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

2  
4           Sec. 1. 22 MRSA §4002, sub-§1-B is enacted to read:

6           1-B. Alternate practical permanent plan. "Alternate  
8           practical permanent plan" means a plan developed by the  
10           department, in addition and as an alternative to a permanent  
12           plan, designed to provide long-term stability for a child 5 years  
14           of age or younger.

16           Sec. 2. 22 MRSA §4041, sub-§1, ¶A, as repealed and replaced by  
18           PL 1983, c. 772, §5, is amended by inserting after sub-¶ (1) a  
20           new sub-¶(1-A) to read:

22           (1-A) If the child is 5 years of age or younger,  
24           develop, at the same time the plan is developed  
26           pursuant to subparagraph (1), an alternate practical  
28           permanent plan that includes alternatives to  
30           rehabilitation and reunification;

32           Sec. 3. 22 MRSA §4063-A is enacted to read:

34           §4063-A. Medical and psychological examination

36           1. Physical examination required. The department shall  
38           ensure that a child ordered into its custody receives a medical  
40           examination by a licensed physician or nurse practitioner within  
42           10 working days after the department's custody of the child  
44           commences.

46           2. Psychological assessment. If the physician or nurse  
48           practitioner who performs a physical examination pursuant to  
50           subsection 1 determines that a psychological assessment of the  
          child is appropriate, the department shall ensure that such an  
          assessment is conducted within 30 days of the physical  
          examination.

#### STATEMENT OF FACT

          This bill requires the Department of Human Services to  
develop an alternate practical permanent plan in addition to a  
rehabilitation and reunification plan that provides alternatives  
to rehabilitation and reunification for children 5 years of age  
or younger. This allows the department to be prepared to act  
more expeditiously if reunification efforts fail.

          This bill also requires within 10 days physical examinations  
of children who are placed in the department's custody and  
psychological assessments within 30 days if considered  
appropriate by the examining physician or nurse practitioner.