

# MAINE STATE LEGISLATURE

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# 115th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1991

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Legislative Document

No. 839

H.P. 588

House of Representatives, February 26, 1991

Reference to the Committee on Education suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative ANTHONY of South Portland.

Cosponsored by Senator BRAUN of Knox, Representative CROWLEY of Stockton Springs and Representative AULT of Wayne.

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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 Ensure Early Intervention Services to Eligible Special Needs  
Children from Birth to Age 5.**

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

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4       **Sec. 1. 20-A MRSA §7711, sub-§2**, as enacted by PL 1989, c.  
932, §10, is amended to read:

6       **2. Handicapped children.** By July 1, 1991, that preschool  
handicapped children, ~~ages 3 through 5~~, have special education  
8 available to them at no cost to the family.

10       A. The Interdepartmental Coordinating Committee for  
Preschool Handicapped Children shall develop, promulgate and  
12 implement rules that address the following issues:

- 14           (1) Least restrictive environment;
- 16           (2) Nondiscrimination;
- 18           (3) Rights of parents;
- 20           (4) Free and appropriate public services;
- 22           (5) Eligibility criteria;
- 24           (6) The federal "child find" program;
- 26           (7) Program development, service descriptors and  
service delivery;
- 28           (8) Case management;
- 30           (9) The early childhood team;
- 32           (10) The individualized family service plan;
- 34           (11) Statements of assurances;
- 36           (12) Procedural safeguards and appeals processes;
- 38           (13) Due process hearings;
- 40           (14) Confidentiality of information;
- 42           (15) Data collection, reporting and utilization;
- 44           (16) Surrogate parents; and
- 46           (17) System governance; and

48       **Sec. 2. Implementation by the Interdepartmental Coordinating**  
50 **Committee for Preschool Handicapped Children.** In implementing this  
Act, the Interdepartmental Coordinating Committee for Preschool  
52 Handicapped Children shall adopt rules

2 governing eligibility criteria and definition of covered services  
3 for handicapped children from birth to age 5 that provide a range  
4 of services to the larger age group targeted by this Act so that  
5 services are provided to handicapped children from birth to age 5  
6 at the same total cost as projected under the Maine Revised  
7 Statutes, Title 20-A, section 7711 before amendment by this Act.

8  
9  
10 **STATEMENT OF FACT**

11 This bill expands the eligibility for special education  
12 services for preschool children. Special education services now  
13 available to preschool handicapped children from 3 to 5 years of  
14 age will be made available to preschool handicapped children from  
15 birth to 5 years of age. In implementing this bill, the  
16 Interdepartmental Coordinating Committee for Preschool  
17 Handicapped Children is directed to define eligibility and the  
18 array of services provided so that the total cost is the same as  
before the expansion of the targeted age group.