

MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1252, L.D. 1820, Bill, "An Act to Provide Accountability for Certain Purchased Services by the Bureau of Mental Health"

Amend the bill by striking out all of section 1 and inserting in its place the following:

'Sec. 1. 34-B MRSA §3604, sub-§3, ¶¶E and F are enacted to read:

E. Any new contract must be awarded through a request-for-proposal procedure and any contract of \$150,000 per year or more that is renewed must be awarded through a request-for-proposal procedure at least every 6 years.

F. The commissioner shall establish a procedure to obtain assistance and advice from consumers of mental health services regarding the selection of contractors when requests for proposals are issued.'

Further amend the bill by striking out all of sections 3 to 5 and inserting in their place the following:

'Sec. 3. 34-B MRSA §6203, sub-§1, ¶I, as enacted by PL 1987, c. 349, Pt. H, §25, is amended to read:

I. Provide a comprehensive system of support services, including respite care, to families with children in need of treatment.;

Sec. 4. 34-B MRSA §6203, sub-§1, ¶¶J and K are enacted to read:

J. Require that any new contract for mental health services be awarded through a request-for-proposal procedure and any contract for mental health services of \$150,000 per year or more that is renewed be awarded through a request-for-proposal procedure at least every 6 years; and

2 K. Establish a procedure to obtain assistance and advice
3 from consumers of mental health services regarding the
4 selection of contractors when requests for proposals are
5 issued for mental health services.

6 **Sec. 5. Phase in of process.** Notwithstanding the Maine Revised
7 Statutes, Title 34-B, section 3604, subsection 3, paragraph E and
8 section 6203, subsection 1, paragraph J, the Commissioner of
9 Mental Health and Mental Retardation shall establish a schedule
10 to ensure that, of the contracts subject to those provisions, 1/3
11 are subject to the request-for-proposal process in calendar year
12 1992, 1/3 in calendar year 1994 and 1/3 in calendar year 1996.

14 **FISCAL NOTE**

16 This bill requires the Department of Mental Health and
17 Mental Retardation to submit requests for proposals prior to
18 awarding contracts for the purchase of mental health services for
19 adults and children. The costs associated with the
20 request-for-proposal process, establishing a procedure for
21 obtaining assistance and advice from mental health consumers and
22 the establishment of the required schedule will be absorbed
23 within the budgeted resources of the affected bureaus within the
24 Department of Mental Health and Mental Retardation.'

26 **STATEMENT OF FACT**

28 This amendment clarifies that contracts of \$150,000 per year
29 or more that are awarded by the Department of Mental Health and
30 Mental Retardation for the purchase of mental health services for
31 adults and children are subject to the request-for-proposal
32 process every 6 years. The amendment removes a provision from
33 the bill that required contracts to be issued for 2-year
34 periods. The amendment also clarifies that the
35 request-for-proposal process is to be phased in over the next 3
36 even-numbered calendar years.

37 The amendment adds a requirement that the Department of
38 Mental Health and Mental Retardation seek consumer advice in
39 awarding contracts. It also adds a fiscal note to the bill.

40 Reported by the Committee on Human Resources
41 Reproduced and distributed under the direction of the Clerk of the
42 House
(5/29/91) (Filing No. H-474)