

MAINE STATE LEGISLATURE

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R. O. S.

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AUGUSTA, MAINE

L.D. 1985

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "AA" to H.P. 1402, L.D. 1985, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993 and to Change Certain Provisions of Law"

Amend the bill by inserting at the end before the emergency clause the following:

PART OO

Sec. OO-1. 22 MRSA §9, sub-§1-A is enacted to read:

1-A. Advocacy services; assessment from nonstate mental health institution. The commissioner shall collect an annual assessment of \$150 from each nonstate mental health institution as defined in Title 34-B, section 3801, from each nursing home, group home, boarding care facility or foster home that serves persons with developmental or learning disabilities or mental illness and from any other agency that it licenses or funds or with which it contracts for the provision of services to persons with developmental or learning disabilities or mental illness. The assessments must be collected annually at the time of initial licensure or licensure renewal, at the time of execution of contracts or funding agreements or at another time that the commissioner determines appropriate. The commissioner shall remit the assessments to the protection and advocacy agency for persons with developmental or learning disabilities or mental illness, established in Title 5, chapter 511. The commissioner and the protection and advocacy agency, within 6 months of the effective date of this subsection, shall enter into a written cooperative agreement describing a plan for implementing this subsection. The commissioner shall confer with the Commissioner of Mental Health and Mental Retardation to ensure that the assessments collected by operation of this subsection are not duplicative of those collected by operation of Title 34-B, section 1204, subsection 4-A.

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SENATE AMENDMENT "AA" to H.P. 1402, L.D. 1985

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Sec. OO-2. 34-B MRSa §1204, sub-§4-A is enacted to read:

4-A. Advocacy services; assessment from state mental health agencies. The commissioner shall collect an annual assessment from each state mental health institute, residential facility, program or service agency that it operates, licenses, funds or with which it contracts. The assessment is in the amount of \$150 for each facility or program component that is operated by the agency and that serves persons with mental illness or mental retardation. These assessments must be collected annually at the time of initial licensure or licensure renewal, at the time of execution of contracts or funding agreements or at another time that the commissioner determines appropriate. The commissioner shall remit the assessments to the protection and advocacy agency for persons with developmental or learning disabilities or mental illness, established in Title 5, chapter 511. The commissioner and the protection and advocacy agency, within 6 months of the effective date of this subsection, shall enter into a written cooperative agreement describing how this subsection will be implemented. The commissioner shall confer with the Commissioner of Human Services to ensure that the assessments collected by operation of this subsection are not duplicative of those collected by operation of Title 22, section 9, subsection 1-A.'

Further amend the bill by relettering the Parts to read consecutively.

FISCAL NOTE

This amendment requires that each mental health institution and several other types of community social service agencies be assessed an annual fee to fund advocacy services. This amendment will also result in additional costs to the Department of Mental Health and Mental Retardation and the Department of Human Services, which could result in requests for General Fund appropriations or decreases in service delivery. This amendment will decrease General Fund savings realized in the bill by an amount that cannot be determined at this time.

STATEMENT OF FACT

This amendment replaces state funding for Maine advocacy services by instituting a fee on service providers.

(Senator McCORMICK) Dale King
SPONSORED BY:

COUNTY: Kennebec

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