

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)



# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

---

Legislative Document

No. 1508

H.P. 1112

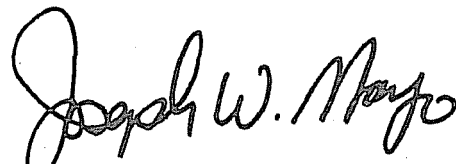
House of Representatives, May 13, 1993

**Resolve, to Establish the Health and Social Services Transition Team to Develop the Governor's Restructuring Proposal to Combine the Departments of Human Services and Mental Health and Mental Retardation and the Office of Substance Abuse in a New Department of Health and Family Services.**

(EMERGENCY)

---

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

  
JOSEPH W. MAYO, Clerk

Presented by Representative REED of Falmouth. (GOVERNOR'S BILL)  
Cosponsored by Representatives: BRUNO of Raymond, DiPIETRO of South Portland, YOUNG of Limestone, Senator: BERUBE of Androscoggin.

2           **Emergency preamble.** Whereas, Acts and resolves of the  
Legislature do not become effective until 90 days after  
adjournment unless enacted as emergencies; and

4  
6           **Whereas,** Maine has been undergoing difficult economic times  
and will continue to face difficult economic times; and

8           **Whereas,** Maine State Government must reflect the changes and  
restructuring that are occurring in the business community by  
10 centralizing administrative functions and combining fragmented  
services in a way that does not adversely affect the provision of  
12 services; and

14           **Whereas,** the State of Maine can no longer financially or  
philosophically support its current organization of health and  
16 social services, which duplicates administrative and regulatory  
functions and fails to provide health and social services in an  
18 efficient and cost-effective manner; and

20           **Whereas,** in the judgment of the Legislature, these facts  
create an emergency within the meaning of the Constitution of  
22 Maine and require the following legislation as immediately  
necessary for the preservation of the public peace, health and  
24 safety; now, therefore, be it

26           **Sec. 1. Creation of the Department of Health and Family Services.**

**Resolved:** That the Department of Health and Family Services be  
28 created in accordance with the plan required in this resolve and  
that 3 principal functional units constitute the subdepartmental  
30 organization, one dealing with child and family issues; one  
dealing with health issues, including substance abuse and mental  
32 health and mental retardation; and one dealing with management  
and budget issues, including Medicaid issues; and be it further

34           **Sec. 2. Health and Social Services Transition Team; creation.**

36 **Resolved:** That the Health and Social Services Transition Team,  
referred to in this resolve as "the team," is established to  
38 develop a plan of combining the Department of Human Services, the  
Department of Mental Health and Mental Retardation and the  
40 Executive Department, Office of Substance Abuse in a Department  
of Health and Family Services. The team shall develop  
42 recommendations for programmatic and structural changes  
concerning the restructuring of state agencies to provide a  
44 flexible, efficient and cost-effective system of providing health  
and social services; and be it further

46           **Sec. 3. Development of plan. Resolved:** That the team shall  
48 develop a plan for creating a system of providing health and  
social services that includes the following:

50           1. A streamlined management of organization and  
52 administration;

2 2. A structure that is designed to address as single units,  
when appropriate, the issues of families and children, and  
substance abuse and mental health;

4  
6 3. The elimination of duplication of services, regulatory  
and administrative functions, and management and information  
systems;

8  
10 4. The provision of regional and outreach services to  
maximize ease of access and comprehensive service potential;

12 5. The enhancement of the environment of the organization  
through retraining to reduce categorical thinking and expand  
14 creative problem solving; and

16 6. The combination of like services, such as case  
management, that are now carried out by more than one department;  
18 and

20 **Sec. 4. Guiding principle; goals. Resolved:** That in developing  
the plan required in this resolve, the team must be guided by the  
22 principle that direct service, administrative and regulatory  
functions can be combined by integrating the subdivisions of the  
24 Department of Human Services, the Department of Mental Health and  
Mental Retardation and the Executive Department, Office of  
26 Substance Abuse that fulfill similar functions. In developing  
the plan, the team shall strive to effectuate the following goals:

28 1. Increasing efficiency and effectiveness;

30  
32 2. Focusing scarce governmental resources on direct  
services by reducing middle and upper management positions;

34 3. Consolidating all contracting, auditing and licensing  
functions for the provision of health and social services in one  
36 department;

38 4. Establishing one state agency to coordinate the Maine  
Medicaid program, including policy development, claims and  
40 billing functions;

42 5. Simplifying and unifying administrative rulemaking for  
the health and social services area;

44  
46 6. Consolidating all management and budget and  
administrative functions for the 3 state agencies into one state  
agency; and

48  
50 7. Increasing speed of processing services without reducing  
quality; and be it further

2           **Sec. 5. Composition of the Health and Social Services Transition**  
3 **Team; chair. Resolved:** That the team consists of the following  
4 members:

5           1. Two Legislators serving on the Joint Standing Committee  
6 on State and Local Government, one appointed by the chairs of  
7 that committee and one appointed by the first-named member of the  
8 minority party on that committee;

9           2. Two Legislators serving on the Joint Standing Committee  
10 on Human Resources, one appointed by the chairs of that committee  
11 and one appointed by the first-named member of the minority party  
12 on that committee;

13           3. Two representatives from the Department of Mental Health  
14 and Mental Retardation, appointed by the Commissioner of Mental  
15 Health and Mental Retardation;

16           4. Two representatives from the Department of Human  
17 Services, appointed by the Commissioner of Human Services;

18           5. Two representatives from the Office of Substance Abuse,  
19 appointed by the Director of the Office of Substance Abuse;

20           6. One member from a constituency or advocacy group  
21 concerned with health, mental health and social services issues,  
22 appointed by the Governor;

23           7. One representative of providers of health, mental health  
24 and social services appointed by the Governor;

25           8. One representative from the Executive Department,  
26 appointed by the Governor; and

27           9. One member representing the public, appointed by the  
28 Governor, to serve as the chair of the team; and be it further

29           The team must be created before June 1, 1993.

30           **Sec. 6. Duties of the team. Resolved:** That the duties of the  
31 team are as follows:

32           1. In addition to the principles outlined in section 3, the  
33 team shall develop a common core of principles to apply in  
34 creating this restructuring proposal;

35           2. The team shall consult the business community, private  
36 industry councils, consumer advocates, health care providers,  
37 mental health and mental retardation treatment providers,  
38 substance abuse treatment providers and advisory councils on  
39 health and social service issues;

2 3. The team shall hold regional meetings and hearings to  
gather technical information and consider public policy issues;  
and

4  
6 4. The team shall present its plan and any necessary  
implementing legislation to the Governor prior to the Second  
8 Regular Session of the 116th Legislature for the Governor's  
approval in sufficient time for the Governor's presentation of  
10 the plan and legislation to the Legislature on or before January  
15, 1994. The plan must address specific organizational  
12 structures, elimination of staff positions, reduction in funds  
and the legal and policy changes that are necessitated by the  
14 restructuring; and be it further

16 **Sec. 7. Implementation of restructuring plan. Resolved:** That the  
effective date for final implementation of the restructuring  
18 proposed in accordance with this resolve is July 1, 1994.

20 **Emergency clause.** In view of the emergency cited in the  
preamble, this resolve takes effect when approved.

22  
24 **STATEMENT OF FACT**

26 This bill requires that the Department of Human Services,  
the Department of Mental Health and Mental Retardation and the  
28 Executive Department, Office of Substance Abuse be combined to  
form the Department of Health and Family Services. The bill  
30 creates the Health and Social Services Transition Team to develop  
a plan to implement this restructuring. The transition team  
32 shall examine the current state government organizational  
structure for providing health and social services, and shall  
34 reorganize the 3 state agencies into a more efficient and  
cost-effective organization for providing health and social  
36 services for Maine citizens. The new organization shall seek to  
eliminate the duplication of services, administration and  
38 regulation. The Department of Health and Family Services shall  
be organized around 3 principal functional units: one dealing  
40 with child and family issues; one dealing with health issues,  
including substance abuse and mental health and mental  
42 retardation; and one dealing with management and budget issues,  
including medicaid. The transition team shall attempt to  
44 concentrate scarce resources on direct services by reducing  
middle management positions and achieving other administrative  
savings.