

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

SECOND REGULAR SESSION-1994

Legislative Document

No. 1667

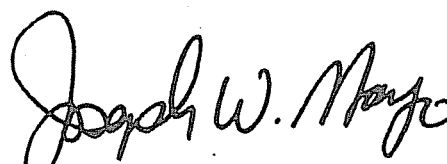
H.P. 1240

House of Representatives, January 10, 1994

An Act to Establish a System of Community Regional Mental Health Boards.

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26.
Reference to the Committee on Human Resources suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative FITZPATRICK of Durham.
Cosponsored by Representatives: BRENNAN of Portland, BRUNO of Raymond, DORE of Auburn, GEAN of Alfred.

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

4
6 Whereas, the implementation of the regional authority
demonstration program was significantly delayed; and

8 Whereas, Public Law 1991, chapter 781, Part C, section 7
requires that an assessment of the boards of the regional
10 authorities be completed by January 1, 1994; and

12 Whereas, the Department of Mental Health and Mental
Retardation has not turned over to the existing boards of the
14 regional authorities the financial resources and control set
forth in Public Law 1991, chapter 781, Part C; and

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

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

24 **Sec. 1.** PL 1991, c. 781, Pt. C, §7 is amended to read:

26 **Sec. C-7. Report.** The commissioner shall begin implementing
28 this Part no later than July 1, 1992. By January 1, ~~1994~~ 1995,
the commissioner shall submit a report to the joint standing
30 committee of the Legislature having jurisdiction over human
resources matters. The report must include an evaluation of the
32 regional authorities demonstration program and recommendations,
along with any necessary implementing legislation. The
34 evaluation must include at least the following:

36 1. An assessment of the efficacy and cost effectiveness of
the regional authorities;

38 2. An assessment of the case management function in each
40 demonstration area; and

42 3. An assessment of crisis intervention services, which
must be provided in at least one of the demonstration areas.

44 **Sec. 2. Transfer of functions.** The Department of Mental Health
46 and Mental Retardation shall turn over to existing boards of
regional authorities the financial and control functions
48 necessary for implementing the priorities of those boards by July
1, 1994.

2 **Sec. 3. Establishment of task force.** The joint standing
committee of the Legislature having jurisdiction over human
4 resources matters shall establish a task force, composed of no
more than 11 members, to propose policies and practices for the
6 expansion of the mental health regional board system to all 5
regions of the State.

8 **Sec. 4. Report.** The task force shall provide a report to the
joint standing committee of the Legislature having jurisdiction
10 over human resources matters by January 1, 1995 on the process of
completing this expansion.

12 **Sec. 5. Task force focus.** The task force shall focus on
14 policies and procedures to:

16 1. Maximize local control and leadership for service
systems;

18 2. Eliminate waste and duplication resulting from contracts
20 with separate agencies;

22 3. Build on the unique characteristics and strengths of
each region by board involvement with local schools, housing
24 authorities, correctional facilities, supported employment
services, special populations, other human service and health
26 provider agencies and other persons and organizations that should
be involved in the mental health care system;

28 4. Provide immediate access to local decision-makers who
30 are directly responsible for oversight of the community mental
health care system that would substantially lessen the current
32 necessity of contacting the Department of Mental Health and
Mental Retardation in Augusta to resolve provider and service
34 organizations issues;

36 5. Allow for integration of the community mental health
provider system at the local level through an organization that
38 has no inherent conflict of interest, because regional boards
would not provide direct services; and

40 6. Provide for leadership at all levels of the community.

42 **Sec. 6. Composition of task force.** The task force must be
44 composed of representatives of all people affected by the
regional mental health boards including representatives of
46 consumers, families, service providers and other interested
parties.

48 **Sec. 7. Staffing.** The task force is voluntary and must provide
50 its own staff from among its members.

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

2

STATEMENT OF FACT

4

6

This bill expands implementation of a regional mental health board system to all 5 regions of the State.

8

10

12

14

This document has not yet been reviewed to determine the need for cross-reference, stylistic and other technical amendments to conform existing law to current drafting standards.