

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

SECOND REGULAR SESSION-1994

Legislative Document

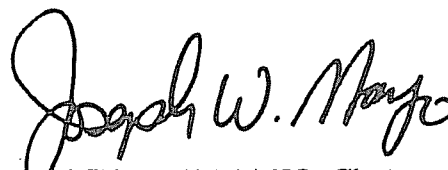
No. 1668

H.P. 1241

House of Representatives, January 10, 1994

**An Act to Ensure Accessibility to Mental Retardation Services for
Persons Who are Deaf or Hard of Hearing.**

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 TREAT of Gardiner.
Cosponsored by Representative ADAMS of Portland and
Representatives: CARROLL of Gray, CHASE of China, FITZPATRICK of Durham,
HOGLUND of Portland, PENDLETON of Scarborough, RAND of Portland, ST. ONGE of
Greene, Senator: McCORMICK of Kennebec.

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

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Sec. 1. 34-B MRSA §5004 is enacted to read:

§5004. Services to persons who are deaf or hard of hearing

The bureau shall provide accommodations and services ensuring access for persons who are deaf or hard of hearing to mental retardation programs funded or licensed by the bureau. These accommodations and services must include, but are not limited to, the following.

1. Assessments. The bureau shall provide appropriate assessments for clients who are deaf or hard of hearing. Assessments must be performed by a person who is proficient in American sign language and must include an assessment of mental retardation and an assessment of communication skills, including the capacity to communicate using American sign language. The bureau shall survey the current client population to determine which clients may be deaf or hard of hearing.

2. Interpreter services. For purposes of treatment, the bureau shall provide interpreter services by a person proficient in American sign language.

3. Staff education and training. The bureau shall ensure that mental retardation staff providing direct services to persons who are deaf or hard of hearing have education and training in American sign language and deaf culture.

4. Telecommunication devices. The bureau shall provide for the placement of telecommunication devices for persons who are deaf in comprehensive community mental retardation facilities.

5. Support and training for families. The bureau shall provide support and training for families with members with mental retardation who are deaf or hard of hearing.

6. Therapeutic residence options. The bureau shall establish therapeutic residence options for persons with mental retardation who are deaf or hard of hearing and in need of a residence. The therapeutic residences must be operated in conjunction with existing rehabilitation, education, mental retardation treatment and housing resources. The therapeutic residences must be staffed by individuals trained in mental retardation treatment and proficient in American sign language. Therapeutic residence options must be flexible and allow for individual choice.

2 7. Regional offices. The bureau shall provide in each
4 regional office at least one staff person who is proficient in
6 American sign language.

8 **Sec. 2. Coordination.** The deaf services coordinator within
10 the Bureau of Mental Health on the effective date of this Act
12 shall serve as a departmentwide coordinator of services for
14 persons who are deaf or hard of hearing, including clients of the
16 Bureau of Mental Health and the Bureau of Mental Retardation.

18 **Sec. 3. Report.** The Department of Mental Health and Mental
20 Retardation shall submit a report to the joint standing committee
22 of the Legislature having jurisdiction over human resource
24 matters by January 15, 1995. The report must describe:

26 **1. Bureau efforts.** The efforts of the Bureau of Mental
28 Retardation to provide accommodations and services for persons
30 who are deaf or hard of hearing, additional service needs and a
32 plan to address these needs. The report must also describe
34 strategies employed by other states to provide services for
36 persons who are deaf or hard of hearing. States described must
38 include, but are not limited to, Maryland, Massachusetts, New
40 Hampshire and Rhode Island; and

42 **2. Coordination of services.** The unmet needs for services,
44 including the coordination of services, for persons who are deaf
46 or hard of hearing who are not clients of the Department of
48 Mental Health and Mental Retardation and other communication
50 needs that could be addressed by the department.

 The Commissioner of Mental Health and Mental Retardation
shall include representatives from deaf communities, families and
public and private service agencies in the preparation of the
report.

STATEMENT OF FACT

 This bill requires the Bureau of Mental Retardation to
ensure that mental retardation programs funded or licensed by the
bureau provide appropriate accommodations and services to persons
who are deaf or hard of hearing. The bill requires
individualized assessments, a survey of the bureau's clients to
identify persons who are deaf or hard of hearing, staff training
in American sign language communication and deaf culture,
interpreter services, support for families, the provision of
opportunity for clients who are deaf or hard of hearing to live
in therapeutic residences with other clients who are deaf or hard
of hearing and the provision of staff in each regional office who
are proficient in American sign language.

2 The bill also requires the deaf services coordinator in the
Bureau of Mental Health to serve on a departmentwide basis. The
4 bill requires the Department of Mental Health and Mental
Retardation to report to the Joint Standing Committee on Human
6 Resources on efforts to implement the bill, similar efforts in
other states, the need for further coordination of services for
8 clients who are deaf or hard of hearing and other communication
needs.

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