

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

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Legislative Document

No. 1724

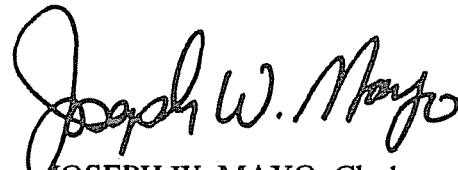
H.P. 1276

House of Representatives, January 13, 1994

**Resolve, to Promote Consumer Choice and Quality Competition in Supported Living Arrangements.**

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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, TREAT of Gardiner.

2           **Sec. 1. Voucher system. Resolved:** That the Commissioner of  
Mental Health and Mental Retardation shall institute a voucher  
4 system as the sole means to purchase community supports and  
services for persons with mental retardation by October 1, 1994;  
6 and be it further

8           **Sec. 2. Report. Resolved:** That the Commissioner of Mental  
Health and Mental Retardation shall submit to the joint standing  
10 committee of the Legislature having jurisdiction over mental  
health and mental retardation matters no later than March 1, 1994  
12 a plan for implementing the voucher system required in section 1  
of this resolve and any necessary implementing legislation; and  
14 be it further

16           **Sec. 3. Waiver application. Resolved:** That the Department of  
Mental Health and Mental Retardation, in conjunction with the  
18 Department of Human Services, shall prepare and submit for  
federal approval no later than October 1, 1994 any waiver request  
20 necessary to limit the number of beds licensed as intermediate  
care facility for the mentally retarded-nursing to 15, to  
22 eliminate all beds licensed as intermediate care facility for the  
mentally retarded-group and to provide Medicaid reimbursement for  
24 supported living arrangements as an alternative; and be it further

26           **Sec. 4. Rules. Resolved:** That the Commissioner of Human  
Services and the Commissioner of Mental Health and Mental  
28 Retardation may adopt rules necessary to carry out the purposes  
of this resolve.

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#### STATEMENT OF FACT

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This resolve requires the Department of Mental Health and  
36 Mental Retardation to implement a voucher system as the sole  
means to purchase community-based supportive services for persons  
38 with mental retardation and to submit a plan for implementing the  
voucher system to the Legislature. This resolve also directs the  
40 Department of Human Services and the Department of Mental Health  
and Mental Retardation to pursue federal waivers that would  
42 result in the elimination of all intermediate care facility for  
the mentally retarded-group beds and limit the number of  
44 intermediate care facility for the mentally retarded-nursing beds  
to 15 in favor of Medicaid-reimbursable supportive living  
46 arrangements.

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