

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 65

S.P. 35

In Senate, January 17, 1995

**Resolve, Requiring the State to Fulfill Its Commitment to Provide
Adequate Mental Health Services for Senior Citizens in the Eastern
Maine Area.**

(EMERGENCY)

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

A handwritten signature in cursive script that reads "May M. Ross".

MAY M. ROSS
Secretary of the Senate

Presented by Senator FAIRCLOTH of Penobscot.
Cosponsored by Senator MICHAUD of Penobscot, Representative SAXL of Bangor and
Senators: CASSIDY of Washington, GOLDTHWAIT of Hancock, RUHLIN of Penobscot,
Representatives: AHEARNE of Madawaska, CAMPBELL of Holden, CHIZMAR of Lisbon,
CLARK of Millinocket, CLOUTIER of South Portland, CROSS of Dover-Foxcroft, FISHER
of Brewer, FITZPATRICK of Durham, HATCH of Skowhegan, LEMAIRE of Lewiston,
LUMBRA of Bangor, MARTIN of Eagle Lake, MORRISON of Bangor, PLOWMAN of
Hampden, POVICH of Ellsworth, STONE of Bangor, STROUT of Corinth, TRUE of
Fryeburg, TUFTS of Stockton Springs, WINN of Glenburn.

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,** in the Policy Directive for Privatization dated
November 17, 1991, the Department of Mental Health and Mental
Retardation set forth a plan to privatize beds at the Program on
Aging, a multiunit facility caring for psychiatric-geriatric
patients on the Bangor Mental Health Institute campus. The
policy directive pledged that the existing bed capacity would be
developed in the eastern Maine community to replace beds
eliminated at the Program on Aging. The department specified
that care at these facilities would be of the highest quality.
On August 21, 1992 the department sought a contract for 71
specialized nursing beds in the eastern Maine community; and

16
18 **Whereas,** on February 13, 1992 the State closed down a unit
of 15 beds at the Program on Aging; another unit of 15 beds
closed on May 20, 1993; another unit of 15 beds closed on May 5,
1994. Despite the commitment expressly stated in the Policy
Directive for Privatization dated November 17, 1991, no beds were
opened in the community to replace the lost 45 beds; and

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

30 **Sec. 1. Community mental health resources in greater Bangor area.**

32 **Resolved:** That the Department of Mental Health and Mental
Retardation, Division of Mental Health is required to fulfill its
commitment to provide adequate mental health services for senior
citizens in the greater Bangor area through the identification of
community mental health resources.

36
38 **1. Persons to be served.** The resources must be sufficient
to serve 45 persons who are eligible for services under the
Program on Aging at the Bangor Mental Health Institute.

40
42 **2. Quality of care.** The resources must be sufficient to
provide care that is equal to or better than the quality of care
available from the Program on Aging.

44
46 **3. Submission of report.** By March 1, 1995, the Division of
Mental Health must submit to the joint standing committee of the
Legislature having jurisdiction over human resource matters a
report that specifies the method by which the resources will be
under contract by May 1, 1995, and any necessary legislation and
appropriations to fund those resources.

2 by May 1, 1995, on that date the division must submit a report to
the Joint Standing Committee on Human Resources to provide for
4 the restoration of resources at the Bangor Mental Health
Institute for 45 persons eligible for services under the Program
6 on Aging. The report must include legislation and appropriations
to fund those resources as of July 1, 1995.