

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 628

H.P. 462

House of Representatives, February 23, 1995

**Resolve, Establishing a Public Participation Process to Make
Recommendations Concerning the Delivery of Health and Social Services.**

(EMERGENCY)

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative TREAT of Gardiner.
Cosponsored by Representatives: JONES of Bar Harbor, TOWNSEND of Portland, Senator:
PARADIS of Aroostook.

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,** recent efforts to restructure health and social
services have not achieved sufficient consensus; and

8 **Whereas,** those efforts were not guided by a set of
fundamental principles held by the citizens of the State; and

10
12 **Whereas,** the status quo is not acceptable and efforts to
reform the system must continue; and

14 **Whereas,** those efforts must begin with a broad process of
public participation; and

16
18 **Whereas,** those efforts must begin as soon as possible to
give the Legislature the benefit of the results of that process
during the First Session of the 117th Legislature; and

20
22 **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

26
28 **Sec. 1. Health and social services broadly defined. Resolved:** That
health and social services include, but are not limited to, the
following:

30 1. Preventive, acute and long-term health services,
including physical and mental health;

32 2. Substance abuse services;

34 3. Developmental, physical and other disability services;

36 4. Protective services for children and adults;

38 5. Services for people who are poor, including income
assistance, shelter, food and employment assistance;

40 6. Juvenile justice services; and

42 7. Other family services, including adoption and child
care; and be it further

44
46 **Sec. 2. Health and social services policy principles. Resolved:** That
the goal of the State is to achieve a health and social services

system that embodies the following policy principles.

1
2
3 1. The service system should use local points of entry into
4 comprehensive services.

5
6 2. Consumers who need an array of services should have easy
7 access to accurate, comprehensive information and access to a
8 single accountable entity that assists in the coordination of
9 those services.

10
11 3. Services should be interdisciplinary in nature, serving
12 all health and social service needs of the consumer at once.

13
14 4. The service delivery system should use the best
15 available technology to enhance delivery and make services more
16 efficient.

17
18 5. Services should be developed and delivered at regional
19 and local levels and should reflect documented needs. The
20 primary role of the State is to ensure that minimum standards of
21 service delivery are met.

22
23 6. Consumers should be active participants in developing
24 and using services. Services should be individualized to meet
25 the particular needs of each consumer and should not be
26 determined by the restrictions of particular funding sources.

27
28 7. The service system should emphasize prevention and early
29 intervention.

30
31 8. The service system should strengthen and support
32 families.

33
34 9. The service system should enable consumers to achieve
35 economic self-sufficiency.

36
37 10. Education is inextricably linked to consumers' needs
38 for and access to health and social services. School facilities
39 should be fully utilized as access points for services.

40
41 11. Consumers should be treated respectfully and
42 consistently by all service providers; and be it further

43
44 **Sec. 3. Health and Social Services Team. Resolved:** That the
45 Health and Social Services Team, referred to in this resolve as
46 the "team," is created to solicit broad public response and
47 comment concerning the policy principles articulated in section 2
48 and to gather information and make recommendations from the
public concerning changes in the health and social services

2 system that would achieve those principles. The team consists of
6 members as follows.

4 1. Four members of the team must be members of the Joint
6 Standing Committee on Human Resources appointed jointly by the
8 chairs of that committee. Two members must be from the majority
party and 2 members must be from the minority party.

10 2. Two members must be midlevel policy makers, one of whom
12 is an employee of the Department of Human Services and one of
14 whom is an employee of the Department of Mental Health and Mental
Retardation, who must be appointed by the Chair of the
Interdepartmental Council; and be it further

16 **Sec. 4. Responsibilities of team. Resolved:** That the team shall
18 select and oversee one or more facilitators experienced in public
20 participation processes and require those facilitators to engage
22 the public in a discussion of the policy principles articulated
24 in section 2 and changes to the system to achieve those
26 principles. The team shall ensure that consumers, state and
28 private service providers at all organizational levels, municipal
officials, teachers and educational administrators and other
citizens across the State are encouraged to participate in the
discussion process. Processes may include, but are not limited
to, public meetings, focus groups, surveys and service delivery
site visits. The facilitators shall compile and analyze the
results of this public participation process and submit a written
report to the team by May 1, 1995; and be it further

30 **Sec. 5. Submission of results. Resolved:** That by May 15, 1995,
32 the team shall submit the written report of the facilitators
34 along with any recommendations and any necessary implementing
36 legislation to the Legislature and the Governor. The Joint
Standing Committee on Human Resources may report out a bill
during the First Regular Session of the 117th Legislature to
further achieve the principles articulated in section 2; and be
it further

38 **Sec. 6. Appointments; initial meeting; chair. Resolved:** That the
40 appointing authorities shall make all appointments to the team by
42 March 1, 1995 and shall report those appointments to the Chair of
the Legislative Council, who shall convene the first meeting of
44 the team by March 8, 1995. At the first meeting, the team shall
elect a chair from among its members; and be it further

46 **Sec. 7. Expenses; funds. Resolved:** That members of the team
48 are not entitled to per diem or reimbursement for expenses. The
Department of Human Services and the Department of Mental Health
and Mental Retardation shall provide funds from existing
50 resources with which the team shall pay the facilitators and

2 provide staff assistance as required by the facilitators and
team. The funds must be provided in equal proportions from the
4 departmental budgets for administrative services to pay the
expenses of the facilitators and the team.

6 **Emergency clause.** In view of the emergency cited in the
preamble, this resolve takes effect when approved.
8

10 STATEMENT OF FACT

12 This resolve establishes the Health and Social Services Team
to solicit broad public response and comment concerning the
14 policy principles articulated in section 2 of this resolve and to
gather recommendations from the public concerning changes in the
16 service system that would achieve those principles. By May 15,
1995, the team shall submit the written report of the
18 facilitators retained by the team along with any recommendations
of the team to the Legislature and the Governor along with any
20 recommended legislation. The Joint Standing Committee on Human
Resources may report out a bill during the First Regular Session
22 of the 117th Legislature to further achieve the principles
articulated in section 2.
24

The team is funded equally by the Department of Human
26 Services and the Department of Mental Health and Mental
Retardation from their budgets for administrative services.
28 Staff assistance must be provided by those departments as
required by the team.