## MAINE STATE LEGISLATURE

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2		D.D. 1770
2	DATE: May 20, 1997	(Filing No. S- 282)
4	•	
6	HEALTH AN	D HUMAN SERVICES
8	Reported by: Senator Paradi	S
10	Reproduced and distributed of the Senate.	ander the direction of the Secretary
12	STAT	TE OF MAINE
14	SENATE 118TH LEGISLATURE	
16	FIRST SPECIAL SESSION	
18		
2.0		" to S.P. 597, L.D. 1776, Bill, "An for Putting Certain Social Service
22	amond the hill be about	ing out everything after the enacting
24	<b></b> .	ary and inserting in its place the
26	Sec 1 5 MRSA 820005 st	ib-§§6-A and 6-B are enacted to read:
28	,	• •
30	through a request-for-prop	and renewal. Award a new contract of osal procedure. Any contract of
32	a request-for-proposal proce	at is renewed must be awarded through dure at least every 8 years, except
34	for the following.	
		with a provider is not subject to the
36		ocedure requirement if the contract ection is performance based.
3.8		- · · · · · · · · · · · · · · · · · · ·
40	subject a contract to a	aragraph A, the department shall a request-for-proposal procedure when
42	necessary to comply with	paragraph C.
		this subsection that is subject to
44	renewal must be awar procedure if the departm	<pre>ded through a request-for-proposal nent determines that:</pre>
46		÷
48	(1) The provider h	has breached the existing contract;
~ -	(2) The provider	has failed to correct deficiencies

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cited by the department;

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	COMMITTEE AMENDMENT " $ extcolor{A}$ " to S.P. 597, L.D. 1776
2	(3) The provider is inefficient or ineffective in the delivery of services and is unable to improve its performance within a reasonable time; or
4 6	(4) The provider can not or will not respond to a reconfiguration of service delivery requested by the
8	department;
	6-B. Consumer assistance and advice. Establish a procedure
10	to obtain assistance and advice from consumers of substance abuse services regarding the selection of contractors when
12	requests-for-proposals are issued.
14	Sec. 2. 34-B MRSA §3604, sub-§3, ¶E, as amended by PL 1993, c. 624, §1, is further amended to read:
16	
18	E. Any new contract must be awarded through a request-for-proposal procedure and any contract of \$500,000 per year or more that is renewed must be awarded through a
20	request-for-proposal procedure at least every 8 years, except for the following.
22	(1) Renewal-contracts-for A renewal contract with a
24	provider are <u>is</u> not subject to the request-for-proposal procedure requirement if allcontracts-executedwith
26	thatprovider <u>the contract granted</u> under this subsection are performance-basedcontracts <u>is</u>
28	performance based.
30	(2) Notwithstanding subparagraph (1), the department shall subject a contract to a request-for-proposal
3 2	procedure when necessary to comply with paragraph G.'
34	Further amend the bill by inserting at the end before the summary the following:
3 6	
38	FISCAL NOTE
40	The Department of Mental Health, Mental Retardation and Substance Abuse Services will realize some minor savings from a
42	reduction in the number of requests for proposals that must be issued.'
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SUMMARY

This amendment replaces the original bill to bring contracts under the Office of Substance Abuse in line with mental health contracts, both within the Department of Mental Health, Mental

## COMMITTEE AMENDMENT "A" to S.P. 597, L.D. 1776

Retardation and Substance Abuse Services. The amendment eliminates the requirement that the department put a performance-based contract out to bid based solely on the amount or duration of the contract. This amendment also adds a fiscal note to the bill.

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