

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1511

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S.P. 510

In Senate, February 25, 1999

**An Act to Provide Efficient and Continuous High-quality Service to  
Mental Health Consumers.**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator MITCHELL of Penobscot.  
Cosponsored by Representative BRAGDON of Bangor and  
Senators: HARRIMAN of Cumberland, KIEFFER of Aroostook, PARADIS of Aroostook,  
Representatives: JOY of Crystal, KANE of Saco, LOVETT of Scarborough.

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

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4       **Sec. 1. 5 MRSA §20005, sub-§6-A, ¶A**, as enacted by PL 1997, c. 381, §1, is repealed and the following enacted in its place:

6       A. Performance-based contracts between the department and its providers may always be renewed without subjecting such a renewal to the request-for-proposal procedure.

8  
10       **Sec. 2. 34-B MRSA §3604, sub-§3, ¶E**, as amended by PL 1997, c. 381, §2, is further amended to read:

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14       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 request-for-proposal procedure at least every 8 years, except for the following.

18  
20           ~~(1) A renewal contract with a provider is not subject to the request for proposal procedure requirement if the contract granted under this subsection is performance-based~~ Performance-based contracts between the department and its providers may always be renewed without subjecting such a renewal to the request-for-proposal procedure.

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26           (2) Notwithstanding subparagraph (1), the department shall subject a contract to a request-for-proposal procedure when necessary to comply with paragraph G.

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32                               **SUMMARY**

34       This bill provides that any performance-based contract between the Department of Mental Health, Mental Retardation and Substance Abuse Services and its providers may be renewed without  
36       subjecting the renewal to the request-for-proposal procedure.