

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

SECOND REGULAR SESSION-2000

Legislative Document

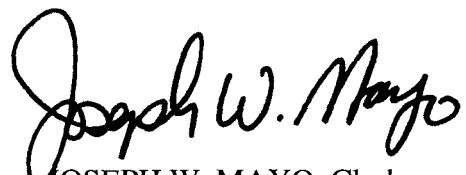
No. 2636

H.P. 1896

House of Representatives, March 16, 2000

**An Act to Improve the Accountability of the Child Development
Services System.**

Reported by Representative BRENNAN for the Joint Standing Committee on Education
and Cultural Affairs pursuant to Joint Order H.P. 1836.


JOSEPH W. MAYO, Clerk

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

4 **Sec. 1. 20-A MRSA §7727, sub-§7** is enacted to read:

6 7. **Audit of regional sites.** The department, in
8 collaboration with the regional sites, shall ensure that a
10 consistent and comprehensive fiscal and compliance audit of the
12 regional sites is performed annually. Each audit must include
14 review of the justification, cost effectiveness and productivity
16 of employing professional site staff therapists in accordance
18 with section 7731, subsection 2.

20 **Sec. 2. 20-A MRSA §7731, sub-§2**, as amended by PL 1999, c.
22 296, §6, is further amended to read:

24 **2. Employees.** Employ qualified professional and other staff
26 at the local site. The board of directors has the authority to
28 hire, fire and supervise the staff of the regional site and to
30 develop and adopt personnel policies and salary scales for its
32 employees. Professional therapists may be employed as site staff
34 when the board and the state intermediate education unit find
36 that:

A. Site staff therapists are needed to perform evaluations
of children to ensure appropriate service plans;

B. Therapists serving children on a contractual basis are
unable to provide required services within timelines
mandated by the federal Individuals with Disabilities
Education Act, 20 United States Code, Section 1400 et seq.;

or

C. Site staff therapists are able to provide services
comparable to those provided by contract therapists at an
identifiable savings to the Child Development Services
System, as determined by the commissioner.

Prior to making application for approval to hire a professional
therapist, the site board of directors or its designee shall
consult with the provider advisory board for that region and
document the need for those services based on the availability of
services and on the timeliness requirements of federal law;

44 **FISCAL NOTE**

46 The Department of Education will incur some minor additional
48 costs to perform annual fiscal and compliance audits of the
50 regional sites in the Child Development Services System and
review decisions to hire site staff. These costs can be absorbed
within the department's existing budgeted resources.

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SUMMARY

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This bill requires the Department of Education, in collaboration with boards of directors of the regional sites in the Child Development Services System, to provide for an annual fiscal and compliance audit of the sites, including review of decisions to hire site staff. The bill also requires site boards of directors to consult with regional provider advisory boards prior to hiring site staff and to provide documentation of the need for hiring such staff.