



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1006

S.P. 295

In Senate, February 20, 2001

Resolve, to Retain Direct Care Workers for Persons with Mental Retardation.

(EMERGENCY)

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

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator PENDLETON of Cumberland.

Emergency preamble. Whereas, Acts and resolves of the 2 Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this legislation provides funds to allow a 6 cost-of-living increase for direct care workers employed by community mental retardation services providers; and

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Whereas, the cost-of-living increase is scheduled to take 10 effect July 1, 2001; and

12 Whereas, this legislation must be enacted in a timely manner to allow the Department of Mental Health, Mental Retardation and 14 Substance Abuse Services to adjust its contracts with providers of services to persons with mental retardation to provide for the 16 July 1, 2001 cost-of-living increase for direct care workers; and

18 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 20 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 22 safety; now, therefore, be it

24 Sec. 1. Community agency direct care worker cost-of-living increase. Resolved: That beginning July 1, 2001, contracts with providers 26 of services to persons with mental retardation, pursuant to the Maine Revised Statutes, Title 34-B, section 1208, subsection 7, 28 must be adjusted to provide for a one-time 4% cost-of-living increase for direct care workers; and be it further

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Sec. 2. Intermediate care facilities principles of reimbursement. Resolved: That the Department of Human Services shall amend the principles of reimbursement established for intermediate care facilities for persons with mental retardation to reimburse pension plans for employees as a designated employee benefit under Department of Human Services rule 7012.22(A)(April 1, 1989).

- 38 Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.
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SUMMARY

44 This resolve requires the Department of Mental Health, Mental Retardation and Substance Abuse Services to adjust 46 contracts with providers of services to persons with mental retardation to provide a cost-of-living increase for direct care 48 workers. It also requires the Department of Human Services to rebase the principles of reimbursement established for 2 intermediate care facilities for persons with mental retardation to provide reasonable reimbursement for employee pension plans.