

# MAINE STATE LEGISLATURE

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1005

L.D. 1947

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**HEALTH AND HUMAN SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
120TH LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1450, L.D. 1947, "Resolve, Concerning Unfunded Mandates in the Provision of Mental Health and Mental Retardation Services"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, to Establish a Demonstration Project to Review Requirements Imposed on Agencies Contracting with the Department of Behavioral and Developmental Services'**

Further amend the resolve by striking out everything after the title and before the summary and inserting in its place the following:

**'Sec. 1. Demonstration project to review requirements imposed on agencies contracting with the Department of Behavioral and Developmental Services. Resolved:** That, beginning August 1, 2002, the Department of Behavioral and Developmental Services shall undertake a demonstration project to review the financial impact of departmental requirements imposed on providers of services. The demonstration project must consist of:

1. A review of the financial implications of all new requirements imposed by the department on or after January 1, 2002 on agencies that provide services to persons through contracts or agreements with the department that may increase the cost of providing those services. This provision applies to services provided by agencies on or after January 1, 2002 whenever funding sufficient to meet the cost of the requirement is not provided. This provision does not apply to new requirements imposed pursuant to federal law or regulation;

**COMMITTEE AMENDMENT**

2           2. The development of strategies for achieving savings. By  
4 December 15, 2002, the Department of Behavioral and Developmental  
6 Services shall develop strategies for achieving savings for the  
8 agencies that will incur the cost increases identified pursuant  
10 to subsection 1, including cost mitigation and simplification of  
administrative requirements. In developing strategies pursuant  
to this resolve, the department shall collaborate with agencies  
that provide services to persons through contracts or agreements  
with the department;

12           3. A review of rules, contracts and other requirements.  
14 The Department of Behavioral and Developmental Services shall  
16 review existing rules and contracts and other requirements that  
18 impose costs on providers of services to identify requirements  
that may be modified or eliminated in order to minimize costs for  
the providers. This review must be conducted in consultation  
with the providers; and

20           4. A report to the joint standing committee of the  
22 Legislature having jurisdiction over health and human services  
24 matters. By January 15, 2003, the Department of Behavioral and  
26 Developmental Services shall report to the joint standing  
28 committee of the Legislature having jurisdiction over health and  
human services matters on the results of the reviews conducted  
under subsections 1 and 3 and the strategies for achieving  
savings under subsection 2.'

30           Further amend the resolve by inserting at the end before the  
32 summary the following:

#### 34           ·FISCAL NOTE

36           The Department of Behavioral and Developmental Services will  
38 incur some minor additional costs to undertake a demonstration  
40 project to review the impact of actions taken by the department  
on contracting agencies. These costs can be absorbed within the  
department's existing budgeted resources.'

#### 42           SUMMARY

44           This amendment replaces the language in the resolve. It  
46 requires the Department of Behavioral and Developmental Services  
48 to undertake a demonstration project to review increased costs to  
contracting agencies necessitated by changes dictated by the  
50 department, to develop strategies for achieving savings within  
those agencies, to review existing requirements in order to  
identify costs that may be minimized and to report to the joint

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2 standing committee of the Legislature having jurisdiction over health and human services matters by January 15, 2003. The amendment also adds a fiscal note.

**COMMITTEE AMENDMENT**