

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



L.D. 219

DATE: 6-14-05

(Filing No. S-371)

HEALTH AND HUMAN SERVICES

Reported by:

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
122ND LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT 'A' to S.P. 72, L.D. 219, Bill, "An Act To Improve the Child Welfare Ombudsman Function"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

Sec. 1. 22 MRSA §4087-A, sub-§4, as amended by PL 2003, c. 20, Pt. EEE, §1, is further amended to read:

4. Services. The program shall provide services directly or under contract. The first priority in the work of the program and any contract for ombudsman services must be case-specific advocacy services. In performing services under this section, the program, as it determines to be appropriate, may create and maintain records and case-specific reports. Any work on systems improvements or lobbying must be adjunctive to case-specific activities. The program may:

A. Provide information to the public about the services of the program through a comprehensive outreach program. The ombudsman shall provide information through a toll-free telephone number or numbers;

B. Answer inquiries, investigate and work toward resolution of complaints regarding the performance and services of the department and participate in conferences, meetings and studies that may improve the performance of the department;

COMMITTEE AMENDMENT

100

- 2 C. Provide services to persons to assist them in protecting
their rights;
- 4
- 6 D. Inform persons of the means of obtaining services from
the department;
- 8 E. Provide information and referral services;
- 10 F. Analyze and provide opinions and recommendations to
agencies, the Governor and the Legislature on state
12 programs, rules, policies and laws;
- 14 G. Determine what types of complaints and inquiries will be
accepted for action by the program and adopt policies and
16 procedures regarding communication with persons making
inquiries or complaints and the department;
- 18 H. Apply for and utilize grants, gifts and funds for the
20 purpose of performing the duties of the program; and
- 22 I. Collect and analyze records and data relevant to the
duties and activities of the program and make reports as
24 required by law or determined to be appropriate.

26 **Sec. 2. 22 MRSA §4087-A, sub-§6**, as enacted by PL 2001, c.
439, Pt. X, §5, is repealed and the following enacted in its
28 place:

30 6. Confidentiality of records. Information held by or
32 records or case-specific reports maintained by the program are
confidential. Disclosure may be made as allowed or required in
34 accordance with the provisions of section 4008, subsections 2 and
3. Unlawful dissemination is subject to the provisions of
section 4008, subsection 4.'

38 **SUMMARY**

40 This amendment replaces the bill. It authorizes the child
welfare ombudsman program to create records and case-specific
42 reports. It designates all information, records and
case-specific reports as confidential and subjects disclosure to
44 the provisions of the Maine Revised Statutes, Title 22, section
4008, subsections 2, 3 and 4.