

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)



123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 487

H.P. 371

House of Representatives, February 1, 2007

An Act Regarding Children in the Child Welfare System

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

Millicent M. MacFarland
MILLCENT M. MacFARLAND
Clerk

Presented by Representative CANAVAN of Waterville.
Cosponsored by Senator MARRACHÉ of Kennebec and
Representatives: CAMPBELL of Newfield, MILLER of Somerville, PENDLETON of
Scarborough, TRINWARD of Waterville, WALCOTT of Lewiston, Senators: MILLS of
Somerset, ROSEN of Hancock, STRIMLING of Cumberland.

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

2 **Sec. 1. 22 MRSA §4004-C** is enacted to read:

3 **§4004-C. Clinical review of placement decisions**

4 When the department has determined that a child receiving child welfare services
5 requires therapeutic care in a residential or foster care setting or requires other specialized
6 mental health care treatment, the department shall, prior to determining the placement
7 needs of the child, complete a clinical review by a health care practitioner licensed to
8 provide mental health evaluation and treatment. For the purposes of this section, "health
9 care practitioner" has the same meaning as in section 1711-C, subsection 1, paragraph F.

10 **Sec. 2. 22 MRSA §4004-D** is enacted to read:

11 **§4004-D. Assessment**

12 Beginning July 1, 2008, the department shall complete an assessment of each child
13 leaving the custody of the department and implement a system for providing periodic
14 contact with and evaluation of a child who has left custody. The assessment must include
15 evaluations of the child at the time of entering and leaving custody. The department shall
16 collect the data from the assessments and, while protecting the confidentiality of
17 information as provided in section 4008 and the privacy rights of all persons involved,
18 make it available to the public on an annual basis.

19 **SUMMARY**

20 This bill requires that when the Department of Health and Human Services has
21 determined that a child receiving child welfare services requires therapeutic care in a
22 residential or foster care setting or requires other specialized mental health care treatment,
23 the department must complete a clinical review. The bill also requires the department to
24 assess a child leaving state custody, to have periodic contact with and evaluation of a
25 child who has left custody and to collect and make available to the public data on the
26 assessments.