

# MAINE STATE LEGISLATURE

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LEGISLATIVE  
AUGUSTA, MAINE



# 124th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2009

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**Legislative Document**

**No. 523**

H.P. 368

House of Representatives, February 12, 2009

**Resolve, Directing the Department of Health and Human Services  
and Department of Education To Enter into a Memorandum of  
Understanding Regarding Early Childhood Intervention**

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Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative WAGNER of Lewiston.  
Cosponsored by Senator ALFOND of Cumberland and  
Representatives: BEAULIEU of Auburn, HASKELL of Portland, HAYES of Buckfield,  
JONES of Mount Vernon, LAJOIE of Lewiston, MARTIN of Eagle Lake, NELSON of  
Falmouth, SUTHERLAND of Chapman.

1           **Sec. 1. Memorandum of understanding between Department of Health**  
2 **and Human Services and Department of Education. Resolved:** That, by  
3 October 1, 2009, the Department of Health and Human Services and the Department of  
4 Education shall enter into a memorandum of understanding or amend an existing  
5 memorandum of understanding. The memorandum of understanding must set forth a  
6 service pathway for preschool children from birth to 5 years of age, clearly coordinating  
7 the services provided by each department to this age group. The memorandum of  
8 understanding must establish criteria, including, but not limited to, criteria that ensure:

9           1. That the Child Development Services System, as defined in Title 20-A, section  
10 7001, subsection 1-A, remains an independent entity from the public schools recognizing  
11 the specialized needs of preschool children;

12           2. That the Department of Health and Human Services and the Department of  
13 Education develop interagency, provider and family communication and planning  
14 regarding child development services issues for preschool children from birth to 5 years  
15 of age, in addition to the advisory functions provided by the state interagency  
16 coordinating council described in the federal Individuals with Disabilities Act, 20 United  
17 States Code, Section 1441 and the state advisory panel described in 34 Code of Federal  
18 Regulations, Sections 300.167 to 300.169;

19           3. That the Department of Health and Human Services and the Department of  
20 Education ensure that children enrolled in programs for early childhood screening,  
21 diagnosis, or treatment in either department, including MaineCare and Child  
22 Development Services System programs, participate in a seamless, coordinated system  
23 that allows referrals to either department for families requiring services; and

24           4. That the Department of Health and Human Services and the Department of  
25 Education enhance the efficacy and identify cost savings of child find activities through  
26 better coordination of the department systems; and be it further

27           **Sec. 2. Report. Resolved:** That the Department of Health and Human Services  
28 and the Department of Education shall report jointly to the joint standing committee of  
29 the Legislature having jurisdiction over health and human services matters and the joint  
30 standing committee of the Legislature having jurisdiction over education matters  
31 regarding the implementation of the memorandum of understanding under section 1 by  
32 January 15, 2010. The departments shall jointly provide an evaluation by January 15,  
33 2011 to the joint standing committee of the Legislature having jurisdiction over health  
34 and human services matters and the joint standing committee of the Legislature having  
35 jurisdiction over education matters of the impact of the memorandum of understanding on  
36 the services provided to preschool children from birth to 5 years of age. After receipt and  
37 review of the evaluation, the joint standing committee of the Legislature having  
38 jurisdiction over health and human services matters and the joint standing committee of  
39 the Legislature having jurisdiction over education matters may report out any necessary  
40 legislation.

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**SUMMARY**

2           This resolve directs the Department of Health and Human Services and the  
3 Department of Education to enter into a memorandum of understanding regarding early  
4 childhood intervention. This resolve also directs the Department of Health and Human  
5 Services and the Department of Education to report to the joint standing committee of the  
6 Legislature having jurisdiction over education matters regarding the implementation of  
7 the memorandum of understanding by January 15, 2010.