

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 582

S.P. 197

In Senate, February 16, 2017

**An Act To Provide for the Comprehensive Medical, Dental,  
Educational and Behavioral Assessment of Children Entering State  
Custody**

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

A handwritten signature in cursive script, reading "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator GRATWICK of Penobscot.  
Cosponsored by Representative TUCKER of Brunswick and  
Senators: BRAKEY of Androscoggin, CHIPMAN of Cumberland, CUSHING of Penobscot,  
DIAMOND of Cumberland, LIBBY of Androscoggin, Representatives: BERRY of  
Bowdoinham, HICKMAN of Winthrop, MALABY of Hancock.

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

2 **Sec. 1. 22 MRSA §4063-A**, as enacted by PL 1991, c. 194, is amended to read:

3 **§4063-A. Medical and psychological examination; comprehensive assessment**  
4 **reimbursable**

5 **1. Physical examination required.** The department shall ensure that a child ordered  
6 into its custody receives an appointment for a medical examination by a licensed  
7 physician, physician's assistant or nurse practitioner within ~~10~~ 3 working days after the  
8 department's custody of the child commences.

9 ~~**2. Psychological assessment.** If the physician or nurse practitioner who performs a~~  
10 ~~physical examination pursuant to subsection 1 determines that a psychological assessment~~  
11 ~~of the child is appropriate, the department shall ensure that an appointment is obtained for~~  
12 ~~such an assessment within 30 days of the physical examination.~~

13 **3. Comprehensive medical, dental, educational and mental health assessment.**  
14 Within 60 days after the department's custody of a child commences, the department  
15 shall ensure that the child receives an appointment for a comprehensive medical, dental,  
16 educational and mental health assessment by a licensed pediatrician and a licensed child  
17 psychologist and provide reimbursement, including reimbursement for obtaining and  
18 reviewing relevant records, under MaineCare for the assessment. The department shall  
19 adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A to  
20 implement this subsection.

21 **SUMMARY**

22 This bill shortens the time requirement for the physical examination of a child  
23 ordered into the custody of the Department of Health and Human Services from 10 days  
24 after the department's custody of the child commences to 3 days and allows a physician's  
25 assistant to conduct the examination. It also requires, within 60 days after the  
26 department's custody of a child commences, that the child receives an appointment for a  
27 comprehensive medical, dental, educational and mental health assessment by a licensed  
28 pediatrician and a licensed child psychologist and that reimbursement, including  
29 reimbursement for obtaining and reviewing relevant records, is provided under  
30 MaineCare for the assessment. The department is directed to adopt routine technical  
31 rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.