

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND ELEVENTH LEGISLATURE

FIRST REGULAR SESSION
December 1, 1982 to June 24, 1983
Chapters 453-End

AND AT THE

FIRST SPECIAL SESSION
September 6, 1983 to September 7, 1983
Chapters 583-588

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH
IN ACCORDANCE WITH MAINE REVISED STATUTES
ANNOTATED, TITLE 3, SECTION 164, SUBSECTION 6.

J.S. McCarthy Co., Inc.
Augusta, Maine
1983

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND ELEVENTH LEGISLATURE

1983

CHAPTER 575

S.P. 536 - L.D. 1562

AN ACT to Amend the Adult Protective Services Act.

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

Sec. 1. 22 MRSA c. 958-A, sub-c. III is enacted to read:

SUBCHAPTER III

PLACEMENT AND THERAPEUTIC SERVICES FOR DEPENDENT AND INCAPACITATED ADULTS WHO ARE NOT MENTALLY RETARDED

§3488. Placement

When it has been determined, as a part of the adult protective services process, that an incapacitated or dependent adult who is not retarded is in need of placement in a nonmedical licensed or approved facility and the cost of placement, in whole or in part, is state funded, the adult shall be assessed prior to placement for the purpose of identifying the needed level of care.

§3489. Levels

There shall be 4 levels of care available for dependent or incapacitated adults who are adult protective services clients and who are not mentally retarded.

1. Level one. The adult presents no significant management problems, but has activity of daily living needs beyond care and maintenance to preserve or improve physical and intellectual functioning and independence.

2. Level 2. The adult may exhibit signs and symptoms of mental illness controlled by appropriate treatment or have diagnosed problems in social or emotional functioning which require activities aimed at maintaining or improving levels of functioning to achieve maximum independence and accepted participation in community life.

3. Level 3. The adult may exhibit inappropriate social and emotional behavior and may intermittently present self-abusive, destructive or aggressive behavior requiring specialized care and supervision.

4. Level 4. The adult presents significant mental health, substance abuse or multiple problems and is in need of intensive services or intervention to stabilize placement.

§3490. Therapeutic services

In addition to basic care and maintenance, a group of alternative care services, including therapeutic services provided by the facility staff to level 3 and level 4 clients, may be purchased, which will implement specific objectives to maximize self-care and independence appropriate to each resident according to a case plan. Rates for therapeutic services shall be established by regulation.

§3491. Training team

There shall be a multidisciplinary training team for the purpose of providing ongoing training for the facility staff and placement workers.

§3492. Rules

The department may adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, subchapter II, to carry out this chapter.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	<u>1983-84</u>	<u>1984-85</u>
<u>HUMAN SERVICES, DEPARTMENT OF</u>		
Positions	(1)	(1)
Personal Services	\$15,077	\$21,036
All Other	<u>42,500</u>	<u>58,000</u>
Total	\$57,577	\$79,036

Effective September 23, 1983.