

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**FIRST REGULAR SESSION**

December 5, 1984 to June 20, 1985  
Chapters 384-End

AND AT THE

**FIRST SPECIAL SESSION**

November 13, 1985

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine  
1985

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
CONTINUED

and

FIRST SPECIAL SESSION

of the

ONE HUNDRED AND TWELFTH LEGISLATURE

1985

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## CHAPTER 486

S.P. 346 - L.D. 941

AN ACT to Provide for Contingency Needs of  
Intermediate Care Facilities for the  
Mentally Retarded.

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

Sec. 1. 22 MRSA §3186 is enacted to read:

§3186. Principles of reimbursement

The department shall meet annually with providers of community based intermediate care facilities for the mentally retarded to review current principles of reimbursement for United States Code, Title XIX and discuss necessary and appropriate changes.

Sec. 2. 34-B MRSA §5437 is enacted to read:

§5437. Contingency fund

The bureau shall establish a contingency fund for use by community based intermediate care facilities for the mentally retarded. This fund shall be used in accordance with the following provisions.

1. Approval of disbursements. Disbursements must be approved by the bureau director.

2. List of approved usages. The director and representatives of community-based facilities will develop a list of approved usages of contingency funds.

3. Approved usages; including. Approved usages of contingency funds include, but are not limited to, the following:

A. Payment for special client assessment and treatment services not reimbursed through the principles of reimbursement for intermediate care facilities for the mentally retarded;

B. Payment for special client needs, such as eyeglasses and wheelchairs and nonreimbursable medications; or

C. Payment for special staff needs to ensure appropriate client treatment.

4. Disbursement not to be approved. No disbursement for client needs may be approved for any service or activity not recommended by interdisciplinary team or necessary to comply with regulations. No disbursement may be made unless evidence is provided that the expense is not reimbursable by the Medicaid Program. It is the intent of the Legislature that the contingency fund established in this section be the funding source of last resort.

Effective September 19, 1985.

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## CHAPTER 487

H.P. 944 - L.D. 1346

AN ACT to Allow School Administrative Units  
to Provide Services to Preschool  
Handicapped Students.

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

Sec. 1. 20-A MRSA c. 307, first 2 lines are repealed and the following enacted in their place:

CHAPTER 307

PRESCHOOL HANDICAPPED CHILDREN

SUBCHAPTER I

PRESCHOOL COORDINATION PROJECTS

Sec. 2. 20-A MRSA §7706, as enacted by PL 1981, c. 693, §§5 and 8, is repealed.

Sec. 3. 20-A MRSA c. 307, sub-c. II is enacted to read:

SUBCHAPTER II

ADDITIONAL PROGRAMS

§7721. Additional speech and language programs

In addition to the programs authorized in this chapter, the commissioner may authorize expenditures to institutions and organizations for speech and language education of hearing and language impaired