

# MAINE STATE LEGISLATURE

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

AS PASSED BY THE  
ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

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

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

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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Sec. 4. Effective date. Section 2 of this Act shall take effect July 1, 1991.

Effective July 16, 1986 unless otherwise indicated.

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## CHAPTER 768

H.P. 1592 - L.D. 2245

AN ACT Concerning Transitional Services for  
Handicapped Persons Beyond School Age.

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

Sec. 1. 20-A MRSA c. 308 is enacted to read:

### CHAPTER 308

#### TRANSITIONAL SERVICES COORDINATION PROJECTS FOR HANDICAPPED PERSONS

##### §7801. Purpose

It is the purpose of this chapter to stimulate through the activities of pilot projects a more effective and efficient delivery of services to handicapped youths in transition from school to the community by:

1. Coordination. Coordinating existing programs presently provided for these youths by the Department of Human Services, the Department of Mental Health and Mental Retardation, the Department of Educational and Cultural Services and other public and private agencies;

2. Delivery. Delivering services only to meet identified unmet needs; and

3. Future recommendations. Using results of these pilot projects to determine the best direction for future recommendations to serve this population.

##### §7802. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Adult service agencies. "Adult service agencies" are those public and private agencies which provide services, as defined in this section, to youths and adults who are no longer eligible for school services due to graduation or becoming age-ineligible under Title 20, section 7001, subsection 2.

2. Handicapped youths in transition. "Handicapped youths in transition" are those youths who have attained the age of 14 years and meet the eligibility criteria as defined in the United States Rehabilitation Act, Public Law 93-112, Section 504, as amended.

3. Services. "Services" means those activities undertaken to screen, evaluate, identify, plan and provide special education, habilitation, rehabilitation, vocational and related services to handicapped persons in transition from school to community.

4. Transition. "Transition" means the coordination of school-based efforts and services with those services that are or will be provided by adult service agencies in preparation for later employment, community integration and independent living.

#### §7803. Interdepartmental coordination

An Interdepartmental Coordinating Committee for Handicapped Youth in Transition pursuant to Title 5, chapter 379, representing the Department of Educational and Cultural Services, the Department of Human Services, the Department of Mental Health and Mental Retardation and the public, shall be appointed by the 3 commissioners to work with the department to establish guidelines, including continuation applications, to monitor grants and to evaluate the performance of programs developed through the grants.

The members of this committee shall be compensated in accordance with Title 5, chapter 379.

#### §7804. Authorization for expenditure of funds

1. Pilot projects. Through a competitive process the committee, as established in section 7803, shall select and fund pilot project sites designed to demonstrate the effective delivery of services to handicapped youths in transition by coordinating existing programs, where possible, and establishing a mechanism for ongoing coordination of programs for handicapped youths in transition at a local or re-

gional level, including local educational agencies, community mental health centers, regional mental retardation services, regional rehabilitation programs and other public and private agencies as appropriate. Each pilot project shall establish a method to identify unserved and underserved handicapped youths in transition and develop services for these youths.

2. Rules. The committee shall promulgate rules that assure participation at the local level by agencies currently serving handicapped youths in transition from school to community. They shall require that existing resources for providing services to handicapped youths in transition be exhausted prior to using grants funds to provide services.

3. Fiscal agent. The agency, institution or school administrative unit receiving a grant under this chapter may function only in the role of fiscal agent, as described in rules promulgated by the department for regulating the local administration of these programs.

4. Local coordinating committee. A local coordinating committee, organized prior to application for receipt of a grant, shall be responsible for governance of each local program. Membership shall include representatives of transitional services programs in the region to be served by the grant; representatives of the appropriate regional offices of the Department of Human Services and the Department of Mental Health and Mental Retardation; representatives of participating school administrative units; representatives of adult service agencies, including rehabilitation facilities; parents of handicapped children; and other community members as appropriate. Terms of membership and methods of appointment or election shall be determined by local coordinating committee bylaws, subject to approval of the committee. Responsibilities of local coordinating committees shall be detailed in the rules promulgated by the committee.

5. Evaluation. Continuous evaluation of the pilot projects shall be required and shall be an integral part of each pilot project. The committee shall determine the expected outcome goals of the pilot projects and shall cause to be developed an evaluation design to determine the success of the pilot projects.

The 3 commissioners shall present to the Legislature an interim report prior to December 15, 1987. This

report shall provide an assessment of the planning efforts of the State Interdepartmental Coordinating Committee for Handicapped Youths in Transition. In addition, this report shall contain any recommendations, including legislation for the continuation or expansion of the pilot projects.

The 3 commissioners shall present to the Legislature a final report prior to December 15, 1988. This report shall provide an evaluation summary of the pilot projects and recommendations, including legislation, necessary to carry out a statewide service delivery system with an implementation schedule to begin July 1, 1989.

§7805. Transitional services coordinator

The position of transitional services coordinator to the Department of Educational and Cultural Services, Division of Special Education shall be established to coordinate the department's activities and involving both the Bureau of Vocational Education and the Division of Adult Education, regarding the coordinated delivery system for handicapped youths in transition from school to community. This coordinator will also serve as staff to the committee as established in section 7803.

Sec. 2. 22 MRSA §3055, sub-§8, as enacted by PL 1969, c. 457, §1, is amended to read:

8. Eligibility and priority. Shall determine the eligibility of individuals for rehabilitation services or evaluation and work adjustment services and the priority therefor, in accordance with rules and regulations established by the department; and

Sec. 3. 22 MRSA §3055, sub-§9 is enacted to read:

9. Transitional services coordination projects. Shall participate in the coordination of rehabilitation services with local transitional services coordination projects for handicapped youths, as established in Title 20-A, chapter 308, assigning appropriate regional staff and resources as available and necessary in each region to be served by a project.

Sec. 4. 34-B MRSA §3004, sub-§3, ¶¶B and C, as enacted by PL 1983, c. 580, §6, are amended to read:

B. Assess service needs, monitor service delivery related to these needs and evaluate the out-

come of programs designed to meet these needs in order to enhance the quality and effectiveness of community support services; and

C. Prepare a report which describes the system of community support services in each of the mental health service regions and statewide.

(1) The report shall include both existing service resources and deficiencies in the system of services.

(2) The report shall include an assessment of the roles and responsibilities of mental health agencies, human services agencies, health agencies and involved state departments and shall suggest ways in which these agencies and departments can better cooperate to improve the service system for people with chronic mental illness.

(3) The report shall be prepared biennially and shall be submitted to the joint standing committee of the Legislature having jurisdiction over health and institutional services by January 15th of every even-numbered year.

(4) The committee shall review the report and make recommendations with respect to administrative and funding improvements in the system of community support services to persons with chronic mental illness; and

Sec. 5. 34-B §3004, sub-§3, ¶D is enacted to read:

D. Participate in the coordination of services for persons with chronic mental illnesses with local transitional services coordination projects for handicapped youth, as established in Title 20-A, chapter 308, assigning appropriate regional staff and resources as available and necessary in each region to be served by a project.

Sec. 6. 34-B MRSA §5433, sub-§§3 and 4, as enacted by PL 1983, c. 459, §7, are amended to read:

3. Cooperation. Cooperate with other state agencies, municipalities, other governmental units, unincorporated associations and nonstock corporations in order to provide and help finance services and programs for mentally retarded persons; and



4. Available funds. Receive and use for the purpose of this ~~Article~~ article money appropriated by the State, grants by the Federal Government, gifts from individuals and money from any other sources; and

Sec. 7. 34-B MRSA §5433, sub-§5 is enacted to read:

5. Transitional services coordination projects. Participate in the coordination of services for mentally retarded persons with local transitional services coordination projects for handicapped youths, as established in Title 20-A, chapter 308, assigning appropriate regional staff and resources as available and necessary in each region to be served by a project.

Sec. 8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1986-87

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Bureau of Mental Retardation	
Personal Services	\$100,000
All Other	<u>250,000</u>
TOTAL	\$350,000

Provides funding for 5 project mental retardation caseworker positions and to continue efforts started in 1985.

Sec. 9. Allocation. The following funds are allocated from federal funds to carry out the purposes of this Act.

1986-87

HUMAN SERVICES, DEPARTMENT OF

Bureau of Vocational Rehabilitation	
Personal Services	\$64,065
All Other	<u>10,935</u>

1986-87

TOTAL

\$75,000

Provides funds for 3 project rehabilitation counselor positions who will provide vocational services to school age youth and youth who have recently left school.

Effective July 16, 1986.

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## CHAPTER 769

H.P. 1610 - L.D. 2267

### AN ACT to Provide Medicaid Coverage for Mental Health Services for Children in Certain Hospital Facilities.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, it is necessary that funds be deappropriated in fiscal year 1985-86; and

Whereas, unless this legislation is enacted as emergency legislation it will not take effect until after the close of fiscal year 1985-86; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and required the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 22 MRSA §3174-C is enacted to read:

§3174-C. Coverage for inpatient hospital mental disease treatment services

Provided that the federal maintenance-of-effort requirements are satisfied, the department shall provide reimbursement, under the United States Social Security Act, Title XIX, for inpatient psychiatric