

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.

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

PUBLIC LAWS
OF THE
STATE OF MAINE

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

CHAPTER 776

S.P. 822 - L.D. 2082

AN ACT to Continue the Mental Retardation Trainer Apprenticeship Program at Pineland Center.

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

34-B MRSA §5402, sub-§5 is enacted to read:

5. Mental Retardation Trainer Apprenticeship Program. A Mental Retardation Trainer Apprenticeship Program is established at the Pineland Center to provide education and skill development for direct care staff to allow them to become knowledgeable and experienced journeymen in the mental retardation field. This program shall be designed to provide individuals with sufficient knowledge to work as paraprofessionals in a multitude of disciplines, including, but not limited to, physical therapy, occupational therapy, recreation therapy and speech therapy.

Effective July 16, 1986.

CHAPTER 777

H.P. 1342 - L.D. 1879

AN ACT Relating to Day Treatment Services for Emotionally Disturbed Children.

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

Whereas, day treatment programs for emotionally handicapped school-age children combine principles and practices from the areas of mental health, special education and family counseling and support; and

Whereas, day treatment programs can often eliminate the need for out-of-home or residential treatment placements of emotionally handicapped school-age children, by strengthening family unity while providing coordinated educational and therapeutic services in the most efficient and cost-effective manner; and

Whereas, requests for out-of-home and residential treatment placements of emotionally handicapped school-age children are far outstripping the State's fiscal and program capacities; and

Whereas, a special multidisciplinary task force of legislators, school administrators, mental health professionals, special education experts and representatives of the Department of Corrections, Department of Educational and Cultural Services, Department of Human Services and the Department of Mental Health and Mental Retardation have developed interdepartmental definitions, principles and standards, as well as program and funding procedures, for improving and expanding day treatment programs within the State; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require 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. 34-B MRSA §3605, as enacted by PL 1983, c. 459, §7, is repealed.

Sec. 2. 34-B MRSA §6204, sub-§2-A is enacted to read:

2-A. Improvement and expansion of day treatment services for emotionally handicapped children. The bureau shall work cooperatively with the Department of Corrections, Department of Educational and Cultural Services and the Department of Human Services to improve and expand day treatment programs for emotionally handicapped school-age children so that they and their families may receive necessary, appropriate and coordinated therapeutic and educational services in home and community settings, reducing the likelihood that out-of-home or residential treatment placements will be required. The Department of Mental Health and Mental Retardation shall license these programs pursuant to sections 3603 and 3606. The Department of Educational and Cultural Services shall approve these programs pursuant to Title 20-A, chapter 206. The 2 departments shall jointly develop standards to ensure a consistent high quality throughout the State.

Sec. 3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

MENTAL HEALTH AND MENTAL RETARDATION, 1986-87
DEPARTMENT OF

Day Treatment Programs

All Other \$75,000

These funds are to be used to provide and support essential mental health services in day treatment programs serving emotionally handicapped school-age children and their families.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective April 25, 1986.

CHAPTER 778

S.P. 946 - L.D. 2372

AN ACT to Amend the Maine Health Care Finance Commission Laws with Respect to the Certificate of Need Development Account, Recognition of Certain Operating Costs, Repeal of Provisions Governing Reorganizations and Affiliated Interests, Streamlining of Procedure and for Other Purposes.

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

Sec. 1. 22 MRSA §388, sub-§1, as enacted by PL 1983, c. 579, §10, is repealed and the following enacted to read:

1. Annual reports. The commission shall prepare the following annual reports.