MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

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

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

CHAPTER 117

S.P. 295 - L.D. 793

An Act to Make the Department of Mental Health and Mental Retardation Responsible for the Burial Expenses of State Wards

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

34-B MRSA §5205 is enacted to read:

§5205. Payment of burial expenses for state wards

The department shall pay burial expenses for deceased persons who die while wards of the bureau as defined in section 5001, subsection 7, and who have no known survivors. The department may first apply to the cost of burial any funds that are available as part of a mortuary trust or any other funds of the ward remaining at the time of the ward's death which are available for this purpose.

See title page for effective date.

CHAPTER 118

H.P. 642 - L.D. 876

An Act to Allow the Department of Human Services to Share Information with Support Teams for Foster Parents

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

22 MRSA §4008, sub-§2, ¶E, as amended by PL 1983, c. 354, §1, is further amended to read:

E. A person having the legal responsibility or authorization to educate, care for, evaluate, treat or supervise a child, parent or custodian who is the subject of a record. This shall include a member of a treatment team or group convened to plan for or treat a child or family which is the subject of a record. This may also include a member of a support team for foster parents, if that team has been reviewed and approved by the department;

See title page for effective date.

CHAPTER 119

S.P. 123 - L.D. 189

An Act to Exempt Speech and Hearing Centers from Home Health Care Licensure

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

Sec. 1. 22 MRSA §2142, sub-§3, as amended by PL 1985, c. 189, §1, is further amended to read:

3. Home health care provider. "Home health care provider" means any business entity or subdivision thereof, whether public or private, proprietary or not for profit, which is engaged in providing acute, restorative, rehabilitative, maintenance, preventive or health promotion services through professional nursing or another therapeutic service, such as physical therapy, ~~speech pathology,~~ home health aides, nurse assistants, medical social work, nutritionist services or personal care services, either directly or through contractual agreement, in a client's place of residence. This term does not apply to any sole practitioner providing private duty nursing services or other restorative, rehabilitative, maintenance, preventive or health promotion services in a client's place of residence or to municipal entities providing health promotion services in a client's place of residence. Beginning October 1, 1991, "home health care provider" includes any business entity or subdivision thereof, whether public or private, proprietary or nonprofit, which is engaged in providing speech pathology services.

Sec. 2. 22 MRSA §2147, sub-§11, as amended by PL 1985, c. 189, §2, is further amended to read:

11. Licensed boarding care facilities. ~~Boarding care~~ Boarding care facilities licensed pursuant to chapters 1663 and 1665 when the services are provided to clients residing in those facilities; ~~and~~

Sec. 3. 22 MRSA §2147, sub-§12, as enacted by PL 1985, c. 189, §3, is amended to read:

12. Municipal entities. Municipal departments or agencies or other municipal entities in their provision of nontherapeutic preventive and promotional health educational services ~~where~~ when persons providing those services are employed by the municipality.; and

Sec. 4. 22 MRSA §2147, sub-§13 is enacted to read:

13. Speech and hearing centers. Until October 1, 1991, agencies or organizations engaged in the provision of only speech pathology and audiology services.

See title page for effective date.

CHAPTER 120

S.P. 185 - L.D. 342

An Act to Amend the Uniform Partnership Act with Regard to Partnership Title in Real Estate