

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

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
1997

date of this resolve. The Chair of the Legislative Council shall call the first meeting of the commission within 14 days after all appointments are made. The first meeting must be held by August 1, 1997. The commission shall elect a chair from among its members; and be it further

Sec. 4. Duties. Resolved: That the commission shall study and report recommendations on each of the following issues:

1. The adequacy of mental retardation services for persons who are and are not covered by the community consent decree; and

2. The allocation of existing resources, the prioritization of needs, the existing resource delivery system and the recruitment, training, retention and compensation of personnel; and be it further

Sec. 5. Meetings. Resolved: That the commission may meet up to 4 times; and be it further

Sec. 6. Report. Resolved: That the commission shall prepare a written report of its findings and recommendations and submit its report, together with any necessary implementing legislation, by January 1, 1998. If the commission requires an extension, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 7. Staff assistance. Resolved: That the commission may request staffing assistance from the Legislative Council; and be it further

Sec. 8. Reimbursement. Resolved: That the task force members who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at meetings of the task force and reimbursement for travel and other necessary expenses upon application to the Legislative Council. The Executive Director of the Legislative Council shall administer the task force's budget; and be it further

Sec. 9. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

Personal Services	\$660
All Other	1,100
	\$1,760

Provides funds for the per diem and expenses of legislative members and miscellaneous expenses of the Commission to Determine the Adequacy of Services to Persons with Mental Retardation.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 12, 1997.

CHAPTER 80

S.P. 579 - L.D. 1744

Resolve, to Plan for Services for Children with Mental Health Needs

Sec. 1. Comprehensive plan. Resolved: That the Department of Mental Health, Mental Retardation and Substance Abuse Services, referred to in this section as the "department," in consultation with the Department of Corrections, the Department of Education and the Department of Human Services, shall design a comprehensive system of services for children with mental health needs to ensure that children receive services in the least restrictive and most appropriate settings. The system must provide for the reinvestment into children's mental health services of any savings achieved by switching from more expensive to less expensive means of delivering services. The department shall consult with providers, including psychiatrists and psychologists, and consumers and families of consumers of children's mental health services.

1. Plan development. The department shall define children's mental health services and assign areas of responsibility and accountability for providing children's mental health services.

2. Review of services. The department shall review existing children's mental health services and the expenditures for those services by the department and the Department of Corrections, the Department of Education and the Department of Human Services.

3. Analysis of need. The department shall analyze the current need for children's mental health

1997-98

LEGISLATURE

Commission to Determine the Adequacy of Services to Persons with Mental Retardation

services and any gaps and duplications in service delivery.

4. Study contracting. The department shall study contracting with public and private agencies and providers for the delivery of children's mental health services.

5. Design a system. The department shall design a system for delivering children's mental health services, including a safety net of services for those most in need.

6. Develop recommendations. The department shall develop recommendations, including statutory and budgetary changes, necessary to achieve the system designed under subsection 5.

7. Report. By December 15, 1997, the department shall submit a comprehensive plan for the delivery of children's mental health services to the Joint Standing Committee on Health and Human Services; and be it further

Sec. 2. Medicaid rules. Resolved: That in order to establish gatekeeper functions and responsibilities for the delivery of children's mental health services, within 30 days of the effective date of this resolve the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services shall review current Medicaid rules for children's mental health services and shall adopt new rules consistent with the goal of providing a comprehensive network of children's services in the least restrictive and most appropriate settings; and be it further

Sec. 3. Progress report meetings. Resolved: That the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services shall meet on a monthly basis with a 3-member subcommittee of the Joint Standing Committee on Health and Human Services before the Second Regular Session of the 118th Legislature to report on the progress of the departments in designing a comprehensive system for the delivery of children's mental health services and designating gatekeeper responsibilities and functions. The subcommittee may not meet more than 4 times; and be it further

Sec. 4. Reimbursement. Resolved: That the legislative subcommittee is entitled to receive, upon application to the Executive Director of the Legislative Council, the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses for attendance at progress report meetings; and be it further

Sec. 5. Appropriation. Resolved: That the following funds are appropriated from the General Fund to carry out the purposes of this resolve.

1997-98

LEGISLATURE

Miscellaneous Study Commissions

Personal Services	\$660
All Other	600
	\$1,260
TOTAL	\$1,260

Provides funds for the per diem and expenses of legislative members to participate in progress report meetings with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services.

See title page for effective date.

CHAPTER 81

H.P. 486 - L.D. 657

Resolve, to Establish the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities

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

Whereas, this resolve establishes the Commission to Examine Rate Setting and the Financing of Long-term Care Facilities; and

Whereas, this resolve is necessary as an emergency measure to afford adequate time for the issues to be appropriately addressed by the commission; 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