

MAINE STATE LEGISLATURE

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STATE OF MAINE
105TH LEGISLATURE

INTERIM REPORT

June 11, 1971

OF THE SPECIAL JOINT SELECT COMMITTEE OF INQUIRY
DEPARTMENT OF HEALTH AND WELFARE

TO THE MEMBERS OF THE 105TH LEGISLATURE:

Under the provisions of a Joint Legislative Order (S.P. 107) approved on January 26 and 27, 1971, the President of the Senate appointed three Senators and the Speaker of the House of Representatives appointed seven Representatives of the 105th Legislature to serve as a Special Joint Select Committee of Inquiry to "study, review and analyze the operations, rules, regulations, procedures and programs" of the Department of Health and Welfare and report to the 105th Legislature.

In view of the magnitude of the task, the Committee has concentrated its research on certain phases of welfare programs which it believed could result in the saving of State tax dollars. It was also the opinion of the Committee that a progress report should be submitted to the 105th Legislature before adjournment.

The areas of research and the Committee's recommendations pertaining thereto are set forth in the following:

1. The Responsibility of Stepparents to Support Stepchildren
 - a. Federal regulations do not prevent the passage of satisfactory legislation making a stepparent responsible for the support of stepchildren.
 - b. L.D. 1243, in redraft form, if enacted, could result in a saving of State tax money of approximately \$2,500,000 each biennium.
 - c. The Committee voted 8 to 2 in support of the enactment of this legislation.

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2. The Unemployed Father re: Aid to Families with Dependent Children Program
 - a. This program is not mandatory under Federal regulations.
 - b. It was never funded by the Legislature, but has been fostered by the Department of Health and Welfare for several years.
 - c. It is costing approximately \$50,000 each month in State tax dollars -- \$1,200,000 each biennium.
 - d. The Supplemental Appropriation Bill - L.D. 1811 - makes provision for the abolishment of the Unemployed Father grant. If enacted, the monthly saving could begin shortly after July 1, 1971.
 - e. The Committee voted 8 to 2 in support of the Unemployed Father provision of L.D. 1811.

3. Prescription Vendor Programs for Public Assistance Recipients
 - a. The Committee recommends greater effort be expended by the Department to have doctors prescribe generic drugs.
 - b. The Committee recommends doctors be required to prepare prescriptions, in duplicate, for welfare recipients. One copy to accompany the pharmacist's invoice submitted to the Department of Health and Welfare for payment.
 - c. The Committee recommends a thorough review of the listing of drugs a doctor may prescribe for welfare recipients to determine further exclusions.

4. Fraud, Misrepresentation and Ineligibility
 - a. No recipient has ever been prosecuted for fraud in the State of Maine in connection with a welfare grant.
 - b. Although the Department claims it very difficult to prove willful misrepresentation in connection with a welfare grant, the Committee is not cognizant of any past requests, by the Department, for more stringent laws pertaining to fraud and willful misrepresentation.

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- c. It has come to the attention of the Committee that, in the past, ineligibility reports by caseworkers have been ignored to the extent that very few such reports now are being submitted.
- d. The Committee recommends a review of current statutes to determine if it is possible to strengthen provisions pertaining to fraud and misrepresentation.
- e. The Committee recommends immediate administrative action be taken to guarantee that all casework reports of ineligibility findings are no longer ignored by supervisory personnel responsible for their adjudication.

5. Free Clinics

The Committee recommends greater effort be expended by the Department in directing welfare recipients in need of medical services to free clinics where available.

6. Greater Use of the State's Diagnostic Laboratory

The Committee recommends further study of the extent to which laboratory tests needed by welfare recipients may be performed at the State's Diagnostic Laboratory and the tax dollar savings accruing therefrom.

7. Administration

- a. There appears to be a lack of program evaluation and determination of priorities thereof as witnessed by the lack of any recommendations by the Department in connection with the Unemployed Father program and the Stepparent Responsibility program.
- b. There appears to be minimal enforcement, in some areas, of welfare regulations.

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c. The Committee recommends a further study of the rules and regulations pertaining to other phases of the Department's Medical and Welfare programs to ascertain the extent to which rules and regulations are adhered to or are ineffective.

8. Testing of Private Water Supplies

The Chairman of this Committee introduced legislation (L.D. 1688) intended to provide funds for increasing the capabilities of the Department's water testing laboratory to cope with the back-log of untested water samples. The Committee was in unanimous accord with the intent and purpose of the measure.

9. General

The Committee recommends that the Commissioner of Health and Welfare be required to prepare a list of problems resulting from inadequate statutory provisions and submit it to this Committee for further review and action.

Respectfully submitted,



H. Sawin Millett, Jr., Chairman
Special Joint Select Committee of Inquiry
Department of Health and Welfare