

MAINE STATE LEGISLATURE

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1

L.D. 2327

2

(Filing No. S-527)

3

STATE OF MAINE

4

SENATE

5

113TH LEGISLATURE

6

SECOND REGULAR SESSION

7 SENATE AMENDMENT " A " to COMMITTEE AMENDMENT " A "
8 to H.P. 1694, L.D. 2327, Bill, "AN ACT to Promote the
9 Creation and Expansion of Independent Living
10 Opportunities for Maine's Citizens with Disabilities."

11 Amend the amendment by striking out everything
12 after the title and inserting in its place the
13 following:

14 'Amend the bill by striking out everything after
15 the enacting clause and inserting in its place the
16 following:

17 'Sec. 1. 22 MRSA §7302, sub-§10, as enacted by
18 PL 1981, c. 511, §1, is repealed and the following
19 enacted in its place:

20 10. Severe disability. "Severe disability" means
21 a disability which results in persons having severe,
22 chronic physical, sensory or cognitive limitations
23 which restrict their ability to carry out the normal
24 activities of daily living and to live independently.

25 Sec. 2. 22 MRSA §7342, sub-§§1 and 2, as
26 enacted by PL 1981, c. 511, §1, are repealed and the
27 following enacted in their place:

28 1. Severe disability. Has a severe disability;

29 2. Need for services. Has a need for personal

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1 care assistance services or for an attendant at night,
2 or both, which services are necessary to prevent or
3 remove the adult from inappropriate placement in an
4 institutional setting; and

5 Sec. 3. 22 MRSA §7343, sub-§4, ¶¶A to C, as
6 enacted by PL 1981, c. 511, §1, are amended to read:

7 A. Personal health management to maximize
8 personal well-being in relation to the adult's
9 disability, provided by a registered nurse or
10 other qualified person experienced in the
11 rehabilitation of the severely physically
12 disabled, including all aspects of prevention,
13 maintenance and treatment techniques;

14 B. Personal care assistant management, provided
15 by a registered nurse experienced in the
16 rehabilitation of the severely physically
17 disabled, including training in recruiting, hiring
18 and managing a personal care assistant;
19 scheduling; potential problems; and

20 C. Functional skills required to maximize the
21 adult's abilities in activities of daily living,
22 provided by a registered occupational therapist
23 experienced in the rehabilitation of the
24 severely physically disabled.

25 Sec. 4. Personal care assistants; wages,
26 benefits and overnight pay. The Bureau of
27 Rehabilitation, in establishing and administering a
28 program of personal care assistance services for
29 severely disabled adults, shall expand its present
30 program to serve an additional 20 new consumers and
31 shall provide through contract with providers of
32 in-home personal care assistance for an average
33 compensation rate of \$7 an hour for personal care
34 assistants, payment of \$12 each night for each client
35 to overnight attendants and the establishment of a pro
36 rata group benefits package, not to exceed \$1,000 for
37 each personal care attendant, including health
38 insurance, vacation and sick leave for personal care
39 assistants. In overseeing the use of funds for
40 increased wages of personal care assistance workers,
41 the Bureau of Rehabilitation shall take into account
42 regional variations in the cost of living and

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1 competitive wage rates across the State.

2 Sec. 5. State Medicaid plan. The Bureau of
3 Medical Services shall adopt personal care assistance
4 services as part of the state Medicaid plan. These
5 regulations shall be designed to allow for personal
6 assistance services to be provided in a manner that
7 allows the consumer to achieve maximum control over
8 that consumer's life while minimizing the orientation
9 to a medical model whenever possible, which will
10 result in reducing the overall costs.'

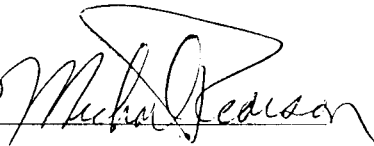
11 STATEMENT OF FACT

12 This amendment deletes references to the Citizen's
13 Commission on Independent Living and the Home-Based
14 Advisory Committee and retains language concerning
15 personal care assistance. Funding for personal care
16 assistance and a Medicaid buy-in program is provided
17 in the Supplemental Budget.

18

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19 (Sen. PEARSON)
20 SPONSORED BY:



21 COUNTY: Penobscot

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(04/20/88) (Filing No. S- 527)