

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1252

S.P. 373

In Senate, March 22, 2011

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**Resolve, To Develop a Plan To Improve Public Guardianship  
Services to Adults with Cognitive Disabilities**

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Reference to the Committee on Health and Human Services suggested and ordered printed.

*Joseph G. Carleton Jr.*

JOSEPH G. CARLETON, JR.  
Secretary of the Senate

Presented by Senator CRAVEN of Androscoggin.  
Cosponsored by Representative BLODGETT of Augusta and  
Representatives: EVES of North Berwick, FOSSEL of Alna, GRAHAM of North Yarmouth,  
O'CONNOR of Berwick, STUCKEY of Portland, WAGNER of Lewiston.

1           **Sec. 1. Stakeholder group for a working plan created. Resolved:** That the  
2 Maine Developmental Disabilities Council, as established in the Maine Revised Statutes,  
3 Title 34-B, section 17001, referred to in this resolve as "the council," shall convene a  
4 stakeholder group to develop a working plan for a program for the transition, beginning  
5 July 1, 2012, of public guardianship responsibilities for adults with cognitive disabilities  
6 from the Department of Health and Human Services to an entity independent of that  
7 agency for a transition to begin by July 1, 2012. The council shall invite at least one  
8 representative from each of the following organizations:

- 9           1. The Disability Rights Center;
- 10           2. Speaking Up for Us of Maine, a self-advocacy organization;
- 11           3. The Department of Health and Human Services, Office of Advocacy, established  
12 in Title 34-B, section 5005;
- 13           4. The Department of Health and Human Services, Office of Adults with Cognitive  
14 and Physical Disability Services;
- 15           5. The Office of the Attorney General;
- 16           6. The Maine Developmental Services Oversight and Advisory Board, established in  
17 Title 34-B, section 1223;
- 18           7. The Maine Association for Community Service Providers; and
- 19           8. The Maine Probate Judges Assembly; and be it further

20           **Sec. 2. Duties. Resolved:** That the stakeholder group shall investigate and  
21 develop a plan for the Department of Health and Human Services to separate the service  
22 coordination for individuals with cognitive disabilities function from the public  
23 guardianship function for individuals who are wards of the State and shall include in its  
24 findings:

- 25           1. Information regarding models used in other states, including New Hampshire, for  
26 independent administration of public guardianship;
- 27           2. Recommendations for the model the group determines is the most appropriate for  
28 implementation in this State;
- 29           3. A work plan for transition to the new model to begin July 1, 2012;
- 30           4. Necessary statutory changes to enable the implementation of this model; and
- 31           5. The feasibility of merging the correspondent program overseen by the Maine  
32 Developmental Services Oversight and Advisory Board under the Maine Revised  
33 Statutes, Title 34-B, section 1223 with public guardianship responsibilities under the  
34 proposed model; and be it further

