

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 630

H. P. 554

House of Representative, February 4, 1981

Referred to Committee on Health and Institutional Services. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Brenerman of Portland.

Cosponsors: Senator Brown of Washington, Representative Nelson of Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT to Create the Community Alternatives Act of 1981.

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

Sec. 1. 22 MRSA c. 854 is enacted to read:

CHAPTER 854

COMMUNITY ALTERNATIVES ACT OF 1981

§ 3161. Policy

It is declared to be the policy of the State to assure that Maine's older citizens have the option available to them of being cared for in their homes as an alternative to nursing home care. It is the purpose of this chapter to assess the cost-effectiveness of noninstitutional services compared to nursing home care, as well as the value of noninstitutional services on the individual's well-being and care.

A broad spectrum of noninstitutional health and social services shall be organized and developed in Maine to prevent or reduce institutionalization. Such a system shall emphasize assessment of individual needs with the goal of promotion of individual self-reliance and independence.

This project is intended to demonstrate the value of noninstitutional services as

they relate to individual care and well-being and to assess the cost-effectiveness of noninstitutional long-term care services when compared with nursing home care.

§ 3162. Definition of noninstitutional services

As used in this chapter, unless the context otherwise indicates, "noninstitutional services" means any service which is provided to an elderly person in their place of residence with the goal of preventing inappropriate or premature admission to nursing homes. These services shall include, but not be limited to, home health, homemaker, personal care, chore, transportation, home repair, nutrition, mental health, respite and day-care services.

§ 3163. Administration of community alternative project funds

The Bureau of Maine's Elderly in the Department of Human Services, with the advice of the Maine Committee on Aging, shall administer the project funds. Administration of those funds shall include the following.

1. **Selection.** The bureau shall select 5 agencies statewide by January 1, 1982. The agencies selected shall be responsible for providing or arranging for client assessment, case plan development, arrangement and coordination of noninstitutional services, follow-up, reassessment and monthly reimbursement.

2. **Individual eligibility.** To be eligible, an individual must be a Maine resident, 60 years of age or older and experiencing functional impairments which interfere with activities of daily living as measured by an individual assessment tool.

3. **Donations; sliding fee scale.** A sliding fee scale shall be developed and applied to individuals whose income exceeds 80% of the state's median income. Donations shall be encouraged from participating clients.

4. **Bureau of Maine's Elderly authorization.** The Bureau of Maine's Elderly may review all service plans developed for individual clients at each project site and has prior authorization responsibilities for services reimbursed under the projects.

5. **Informal support systems.** All informal support systems presently in place, such as family, friends, church, or other, shall be retained. The community alternatives project shall not replace informal support systems presently in place, or supplant existing social or health services serving individuals.

6. **Administrative cost limitation.** No more than 8% of funds received may be spent on administration of the funds by the agencies selected. Client assessment and case plan development may not be considered administrative expenses.

§ 3164. Evaluation

An evaluation of the results of the 5 projects shall be conducted by the deputy commissioners of social and rehabilitation services and medical services of the Department of Human Services who shall examine program performance and

quality, program costs as compared with costs of nursing home care, program design and management. The evaluation, as well as the Bureau of Maine's Elderly's comments made in response to the evaluation, shall be presented to the Joint Standing Committee on Health and Institutional Services of the 111th Legislature. The committee shall make recommendations as it deems necessary to continue funding for noninstitutional services.

Sec. 2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1981-82

HUMAN SERVICES, DEPARTMENT OF

Bureau of Maine's Elderly

Community Alternatives Project

All Other

\$200,000

Provides funds to 5 community alternatives projects to be expended on noninstitutional services and client assessment, case plan development, arrangement and coordination of services, follow-up and reassessment of individual client case plans.

STATEMENT OF FACT

The Governor's Long Term Care Task Force recommended that community-based services be made available to avoid unnecessary institutionalization of older people. This bill would fund 5 projects statewide to demonstrate the value of noninstitutional services as they relate to individual care and well-being, and would assess the cost-effectiveness of noninstitutional long-term care services when compared with nursing home care.