

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 769

H.P. 565

House of Representatives, March 15, 1989

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads 'Ed Pert'.

EDWIN H. PERT, Clerk

Presented by Representative LISNIK of Presque Isle.

Cosponsored by Speaker MARTIN of Eagle Lake, Representative SMITH of Island Falls and Senator BRANNIGAN of Cumberland.

STATE OF MAINE

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

**An Act to Resolve Problems with State-funded Elderly Services
Created by Revision in Federal Law and Regulation.**



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

3 **Appropriation.** The following funds are appropriated from the
5 General Fund to carry out the purposes of this Act.

7 **1989-90** **1990-91**

9 **HUMAN SERVICES, DEPARTMENT OF**

11 **Bureau of Maine's Elderly**

13 All Other **\$285,000** **\$285,000**

15 Provides funds to offset the
17 loss of federal Title 3,
19 Older American's Act funds
21 utilized in the past to
23 support state elderly
25 services including the
27 Congregate Housing Services
Program, the Maine Home-based
Care Program and the Maine
Adult Day Care Services
Program.

29 **STATEMENT OF FACT**

31 The Legislature has established the Maine Congregate Housing
33 Services Program, the Maine Home-based Care Program and the Maine
35 Adult Day Care Services Program which are administered by the
37 Department of Human Services, Bureau of Maine's Elderly through
39 grants and contracts with the State's 5 area agencies on aging.
These programs are supported, in part, with federal Older
American's Act dollars. These programs all require potential
clients to disclose their financial resources and to participate
in payment for services, if they are able.

41 The Older American's Act was revised by the United States
43 Congress in 1987 and new regulations were issued by the Federal
45 Administration on Aging in August 1988. Congress strengthened
47 provisions in the law prohibiting the use of Title 3 funds in
49 programs that utilize a "financial means test" to determine
eligibility. The issuance of regulations strengthened this
prohibition and the Bureau of Maine's Elderly has been advised by
the Regional Office of the Administration on Aging that Maine
must discontinue use of Title 3 funds in programs that employ a
"means test" or that require a client copayment for services.