

MAINE STATE LEGISLATURE

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114th MAINE LEGISLATURE

FIRST REGULAR SESSION - 1989

Legislative Document

No. 1438

H.P. 1032

House of Representatives, May 3, 1989

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

Ed Pert

EDWIN H. PERT, Clerk

Presented by Representative MELENDY of Rockland.

Cosponsored by Representative O'DEA of Orono, Representative HICHBORN of LaGrange and Senator PEARSON of Penobscot.

STATE OF MAINE

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

**An Act to Simplify the Process by Which People with Disabilities Are
Able to Acquire Information and Apply for Services.**

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

3 **PART A**

5 **Sec. 1. 20-A MRSA §256, sub-§6, is enacted to read:**

7 6. Central information system. The department shall
8 include in the department's annual budget any funds necessary to
9 maintain an independent community-based central information
10 system on resources for people with disabilities.

11 The central information system shall be controlled and operated
12 by people with disabilities or an organization governed in the
13 majority by people with disabilities.

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

19 **1989-90**

21 **EDUCATIONAL AND CULTURAL SERVICES,**
22 **DEPARTMENT OF**

23 All Other **\$50,000**

25 Provides start-up funds for a central
27 information system on disability resources
28 to be independently controlled and operated
29 by people with disabilities or an
30 organization governed in the majority by
31 people with disabilities.

33 **PART B**

35 **Sec. 1. Study authorized.** The Department of Educational and
36 Cultural Services shall determine how to streamline the
37 application process and develop a single entry point application
38 process to enable any disabled person to apply for any available
39 service or services from one location in that person's
40 community. The department may hire independent consultants to
41 evaluate and make recommendations regarding the application
42 process.

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

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3 **EDUCATIONAL AND CULTURAL SERVICES,**
5 **DEPARTMENT OF**

7 All Other \$50,000

9 Provides funds for department expenses and
hiring consultants to assist in the study.

11 **PART C**

13 **Sec. 1. Commission established.** The Commission to Study
15 Funding of Personal Care Assistant Services is established to
develop a formula to determine future assistant services funding
needs. The formula shall reflect:

17 A. The size of the State's population;

19 B. A competitive hourly and benefit system for personal
21 care assistants as reflected by the labor market and the
cost of insurance and other factors;

23 C. The average number of hours of assistant services
25 required by disabled persons; and

27 D. The cost of administering these services at the
community level.

29 **Sec. 2. Membership; chair.** The commission shall be composed
31 of the following 5 members: the Commissioner of Human Services;
2 consumers of personal care assistant services appointed by the
33 Governor; and 2 members of organizations controlled and governed
in the majority by people with disabilities appointed jointly by
35 the President of the Senate and the Speaker of the House of
Representatives. The chair shall be selected at the first
37 meeting of the commission by the membership.

39 **Sec. 3. Compensation.** All members of the commission that are
not State employees shall receive reimbursement for expenses upon
41 application to the Legislative Council.

43 **Sec. 4. Staff assistance.** The commission may request necessary
staff assistance from the Legislative Council.

45 **Sec. 5. Report.** The commission shall submit its report and
47 any necessary implementing legislation to the 114th Legislature
by December 1, 1989.

49 **Sec. 6.. Appropriation.** The following funds are appropriated
51 from the General Fund to carry out the purposes of this Act.

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LEGISLATURE

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**Commission to Study Funding of
Personal Care Assistant Services**

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All Other \$1,000
Provides funds for commission expenses.

PART D

PL 1987, c. 845, §4, first sentence, is amended to read:

The Bureau of Rehabilitation, in establishing and administering a program of personal care assistance services for severely disabled adults, shall expand its present program to serve an additional 20 new consumers and shall provide through contract with providers of in-home personal care assistance for ~~an average compensation~~ a reimbursement rate of \$7 an hour for personal care assistants services, payment of \$12 each night for each client ~~to~~ for overnight attendants and the establishment of a pro rata group benefits package that, not-to-exceed for the purposes of calculation rather than entitlement, shall be based on at least \$1,000 for each personal-care-attendant consumer, including health insurance, vacation and sick leave for personal care assistants.

STATEMENT OF FACT

This bill requires the Department of Educational and Cultural Services to include in its annual budget any funds necessary to maintain an independent, community-based central information system on resources for people with disabilities. After initial start-up costs, the system may become financially self-supporting.

In addition, the bill directs the Department of Educational and Cultural Services to study the feasibility of creating a single entry point application process to enable any disabled person to apply for any available services from one location in that person's community.

The bill also establishes the Commission to Study Funding of Personal Care Assistant Services to develop a formula to determine future assistant services funding needs. Finally, the bill amends the current benefits system formula for personal care attendants.