

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 763

H.P. 535

House of Representatives, February 21, 1991

Reference to the Committee on Human Resources suggested and ordered printed.

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

EDWIN H. PERT, Clerk

Presented by Representative SMALL of Bath.

STATE OF MAINE

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

An Act to Appropriate State Funds to Enable the Bureau of Medical Services to Implement Consumer-directed Attendant Services in its State Plan.

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, this Act appropriates funds for fiscal year 1991-92, which begins before this Act would otherwise take effect; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$250,000	\$250,000

Provides funds to enable the Bureau of Medical Services to develop consumer-directed attendant care services for persons with severe disabilities, in order to access additional federal funds and enable these persons to avoid institutionalization and maintain independence by making it easier to recruit and retain attendants.

Sec. 2. Allocation. The following funds are allocated from the Federal Expenditure fund to carry out the purposes of this Act.

	1991-92	1992-93
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		

All Other \$419,703 \$398,677

2

4

6

8

Allocates federal matching funds for consumer-directed attendant care services for severely disabled individuals to be developed by the Bureau of Medical Services.

10

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

12

14

STATEMENT OF FACT

16

18

20

22

24

26

28

This bill enables the Bureau of Medical Services to access additional federal funds to develop consumer-directed attendant care services for severely disabled individuals. These services, when provided through a Medicaid waiver, limit the amount that attendants can be paid to \$4.45 per hour, making it difficult for disabled persons to recruit and retain attendants. In contrast, persons receiving services through home-based care are able to pay attendants up to \$7 per hour, greatly enhancing their chances of avoiding institutionalization and maintaining independence. This funding will allow the Bureau of Medical Services to develop less restrictive consumer-directed services, ultimately making the programs more comparable. Over 100 severely disabled state residents are currently awaiting access to these services.