

MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 601, L.D. 756, Bill, "An Act to Ensure Quality Home Care Coordination Services and Improve Long-term Care Services"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §5107-I is enacted to read:

§5107-I. Quality assurance review committee

An agency that contracts to provide home care coordination for the department shall establish a quality assurance review committee, referred to in this section as the "committee," to review the provision of home care services. The committee membership must include consumers of home care services; representatives of consumers; consumer advocates, including the long-term care ombudsman program; health care and service providers; representatives from each area agency on aging; and staff of the agency that contracts to provide home care coordination. The joint standing committee of the Legislature having jurisdiction over health and human services matters may make recommendations to the contracting agency regarding committee membership.

1. Chair; meetings. The members of the committee shall choose a chair, who may not be a representative of a home care coordination agency. The committee shall meet at least quarterly.

2. Duties. The committee shall assess, evaluate and prepare findings regarding quality of care coordination, including:

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A. Implementation, monitoring and modification of the plan of care of a consumer of home care services;

B. Advocacy on behalf of the consumer of home care services for access to appropriate community resources;

C. Ensuring coordination of service providers and timely delivery of services pursuant to the plan of care and identified needs of the consumer of home care services;

D. Maintaining contact, on behalf of the consumer of home care services, with family members and others in the consumer's support structure and with other representatives, guardians, surrogates or providers of services or supports;

E. Ensuring the continuity of care;

F. With the participation of the consumer of home care services or the consumer's representative and providers of services or support, monitoring services and supports and evaluating the effectiveness of the plan of care;

G. Coordinating and requesting assessments and reassessments and providing necessary consumer status reports to the assessor in a timely manner;

H. Providing the consumer of home care services with appropriate information regarding eligibility, rules and benefits and helping the consumer apply for appropriate assistance;

I. Addressing consumer complaints in a timely manner; and

J. Providing the consumer of home care services with information about the services of the long-term care ombudsman under section 5107-A and the availability of legal services.

3. Coordination. The committee shall work to coordinate its efforts with those of any other quality assurance initiatives, committees and working groups within the department relating to the delivery of long-term care services.

4. Annual report. By January 1st each year, the committee shall report to the department, the Long-term Care Implementation Committee established pursuant to Public Law 1999, chapter 731, Part BBBB, section 15 and the joint standing committee of the Legislature having jurisdiction over health and human services matters concerning the committee's work during the year, any

COMMITTEE AMENDMENT

specific findings or recommendations regarding the duties imposed in subsection 2 and the actions taken to resolve problems.

5. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. 2. PL 1999, c. 731, Pt. BBBB, §15, first ¶ and sub-§1 are amended to read:

Sec. BBBB-15. Establishment of the Long-term Care Implementation Committee. There is established the Long-term Care Implementation Committee, referred to in this section as the "committee," to monitor the progress of state departments and offices in implementing the provisions of this Part and the State's long-term care system. The committee shall review the adoption and amendment of rules ~~performed~~ proposed in response to this Part and may make recommendations to the Department of Human Services, to the Department of Mental Health, Mental Retardation and Substance Abuse Services and to the joint standing committee of the Legislature having jurisdiction over health and human services matters ~~for~~ regarding amendments to those rules. The committee shall review the quality of care in the long-term care system.

1. Membership. The committee consists of ~~13~~ 15 members. The President of the Senate shall appoint ~~5~~ 6 members as follows: one member representing providers; one member representing the Long-term Care Steering Committee; ~~one--member~~ 2 members representing consumers of long-term care services; and 2 Legislators, one representing the joint standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Speaker of the House of Representatives shall appoint ~~5~~ 6 members as follows: one person representing providers; one member representing the long-term care ombudsman program; ~~one-member~~ 2 members representing consumers of long-term care services; and 2 Legislators, one representing the joint standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Commissioner of Human Services or the commissioner's designee and 2 other persons representing the Department of Human Services,

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appointed by the commissioner, are ex officio members of the committee. ~~All appointments must be complete by January 1, 2001.~~

Further amend the bill by inserting at the end before the summary the following:

FISCAL NOTE

The Department of Human Services will incur some minor additional costs to adopt rules and to coordinate its efforts relating to the delivery of long-term care services with the quality improvement committee. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment replaces the bill. It provides for an agency that contracts to provide home care coordination for the Department of Human Services to establish a quality assurance review committee to review the provision of home care services. It specifies duties for the committee and to which entities the annual report must be provided. It adds 2 consumer or consumer advocate members to the Long-term Care Implementation Committee. It also adds a fiscal note to the bill.