

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1345

H.P. 1008

House of Representatives, March 5, 2001

Resolve, to Establish the Legislative Task Force to Make Legislative and Policy Recommendations to Strengthen Consumer Protection and Quality Outcomes for All In-home and Home Health Care Services.

Reference to the Committee on Health and Human Services suggested and ordered printed.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative RICHARDSON of Brunswick.

2 **Preamble. Whereas,** there is concern that in-home, home
health and community care providers are understaffed, seriously
4 endangering care that consumers expect and to which they are
entitled; and

6 **Whereas,** understaffing can lead to illnesses and injuries
for consumers that actually increase the cost of care; and

8 **Whereas,** the number of providers and consumers has
10 increased, and it is a concern that the ability of the agencies
charged with monitoring the quality of care may be compromised
12 because agency staffing has not kept pace with the agencies'
responsibilities; and

14 **Whereas,** it is reported that complaints from consumers are
16 growing in number and seriousness; and

18 **Whereas,** these issues were the subject of a recommendation
of the Commission to Examine Rate Setting and the Financing of
20 Long-term Care Facilities, which reported to the First Regular
Session of the 119th Legislature, and as yet have not been
22 addressed by the Legislature; now, therefore, be it

24 **Sec. 1. Task force established. Resolved:** That the Task Force to
Make Legislative and Policy Recommendations to Strengthen
26 Consumer Protection and Quality Outcomes for All In-home and Home
Health Care Services, referred to in this resolve as the "task
28 force," is established; and be it further

30 **Sec. 2. Task force membership. Resolved:** That the task force
consists of the following 8 members:

32 1. Two members of the Senate, appointed by the President of
34 the Senate, who must be members of different political parties;

36 2. Two members of the House of Representatives, appointed
by the Speaker of the House, one representing the majority party
38 and one representing the minority party;

40 3. Two members of the Long-term Care Steering Committee,
one appointed by the President of the Senate and one appointed by
42 the Speaker of the House; and

44 4. Two representatives of the home health services provider
industry, appointed by the Governor; and be it further

46 **Sec. 3. Chairs. Resolved:** That the first named Senate member
48 is the Senate chair of the task force and the first named House
of Representatives member is the House chair of the task force;
50 and be it further

2 **Sec. 4. Appointments; meetings. Resolved:** That all
4 appointments must be made no later than 15 days following the
6 effective date of this resolve. The Executive Director of the
8 Legislative Council must be notified by all appointing
10 authorities once the selections have been made. When the
12 appointment of all members has been completed, the chairs of the
14 task force shall call and convene the first meeting of the task
16 force no later than 20 days following the effective date of this
18 resolve. The commission may hold up to 4 meetings; and be it
20 further

22 **Sec. 5. Duties. Resolved:** That the task force shall conduct a
24 comprehensive review of in-home, home health and community-based
26 services, including the structure and adequacy of the provider
28 community and its ability to provide the level and quality of
30 care the citizens of the State expect for the State's elderly and
32 disabled citizens. The study will focus on the State's oversight
34 system as well as on the delivery system itself; and be it further

36 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
38 Legislative Council, the Office of Policy and Legal Analysis
40 shall provide necessary staffing services to the committee; and
42 be it further

44 **Sec. 7. Compensation. Resolved:** That the members of the task
46 force who are Legislators are entitled to the legislative per
48 diem, as defined in the Maine Revised Statutes, Title 3, section
2, and reimbursement for necessary expenses incurred for their
attendance at authorized meetings of the task force. Other
members of the task force who are not otherwise compensated by
their employers or other entities that they represent are
entitled to receive reimbursement of necessary expenses incurred
for their attendance at authorized meetings of the task force;
and be it further

36 **Sec. 8. Report. Resolved:** That the task force shall submit
38 its report, together with any necessary implementing legislation,
40 to the Second Regular Session of the 120th Legislature no later
42 than January 2, 2001. If the task force requires a limited
44 extension of time to conclude its work, it may apply to the
46 Legislative Council, which may grant the extension; and be it
48 further

44 **Sec. 9. Budget. Resolved:** That the chairs of the task force,
46 with assistance from the task force staff, shall administer the
48 task force's budget. Within 10 days after its first meeting, the
task force shall present a work plan and proposed budget to the
Legislative Council for approval. The task force may

2 not incur expenses that would result in the task force exceeding
its approved budget. Upon request from the task force, the
4 Executive Director of the Legislative Council shall promptly
provide the task force chairs and staff with a status report on
the task force's budget, expenditures incurred and paid and
6 available funds.

8

SUMMARY

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12 This resolve establishes the Task Force to Make Legislative
and Policy Recommendations to Strengthen Consumer Protection and
Quality Outcomes for All In-Home and Home Health Care Services.