

# MAINE STATE LEGISLATURE

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L.D. 1933

DATE: 3-14-02

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**HEALTH AND HUMAN SERVICES**

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

COMMITTEE AMENDMENT "A" to H.P. 1436, L.D. 1933, "Resolve, to Establish a Blue Ribbon Commission to Address Financing of Long-term Care Costs"

Amend the resolve by striking out the title and substituting the following:

**'Resolve, Establishing the Blue Ribbon Commission to Address the Financing of Long-term Care'**

Further amend the resolve by inserting after the title and before the concept draft summary the following:

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

**Whereas, the cost of long-term care in the State is among the highest in the nation; and**

**Whereas, the demographic profile of the State indicates a population that is rapidly aging and quickly approaching the need for long-term health services; and**

**Whereas, elderly and disabled individuals are without sufficient resources to finance the cost of their long-term care and depend upon the State to assist them in gaining access to these services; and**

**COMMITTEE AMENDMENT**

2           **Whereas,** the increased rate of growth in the state  
3 contribution for these services requires a comprehensive plan  
4 that will anticipate future need and creatively design a solution  
5 for financing this need while maintaining high quality in the  
6 system and ensuring choice and independence for the consumer of  
7 these services; and

8           **Whereas,** the commission established in this resolve must  
9 begin its work as soon as possible to address the escalating  
10 costs in the delivery and financing of long-term care services  
11 for the people of the State; and

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

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18           **Sec. 1. Commission established. Resolved:** That the Blue Ribbon  
19 Commission to Address the Financing of Long-term Care, referred  
20 to in this resolve as the "commission," is established; and be it  
21 further

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23           **Sec. 2. Commission membership. Resolved:** That the commission  
24 consists of the following 21 members:

25           1. Eight members appointed by the President of the Senate  
26 as follows:

27           A. Two members of the Senate. When making these  
28 appointments, the President of the Senate shall give  
29 preference to a member serving on the Joint Standing  
30 Committee on Appropriations and Financial Affairs and to a  
31 member serving on the Joint Standing Committee on Health and  
32 Human Services;

33           B. A representative of a provider of long-term care  
34 insurance;

35           C. A member of a statewide organization representing  
36 business entities;

37           D. A member of a statewide organization representing labor;

38           E. A member of a statewide organization representing  
39 providers of long-term care;

40           F. A member of a statewide organization representing  
41 hospitals; and

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COMMITTEE AMENDMENT "A" to H.P. 1436, L.D. 1933

2 G. A member of a statewide organization representing  
physicians;

4 2. Eight members appointed by the Speaker of the House as  
6 follows:

8 A. Two members of the House of Representatives. When  
10 making these appointments, the Speaker of the House shall  
12 give preference to a member serving on the Joint Standing  
Committee on Health and Human Services and to a member  
serving on the Joint Standing Committee on Banking and  
Insurance;

14 B. A member of a statewide organization representing  
16 elderly persons;

18 C. A member of a statewide organization representing people  
with disabilities;

20 D. A representative of the long-term care ombudsman program;

22 E. A member of a statewide not-for-profit organization  
24 providing legal services to elderly persons;

26 F. A member of a statewide organization representing  
homecare providers; and

28 G. A member of a statewide organization representing  
30 individuals with Alzheimer's disease or other dementias;

32 3. Three members appointed by the Governor as follows:

34 A. A representative of an academic or public policy  
institute with expertise in health care economics or finance;

36 B. A representative of an accounting firm with an expertise  
38 in health care financing; and

40 C. A member of a statewide organization representing  
financial institutions; and

42 4. The following 2 members:

44 A. The Commissioner of Human Services or the commissioner's  
46 designee; and

48 B. The Treasurer of State or the treasurer's designee; and  
be it further

2           **Sec. 3. Appointments. Resolved:** That all appointments must be  
3 made no later than 30 days following the effective date of this  
4 resolve. The first named Senate member and the first named House  
5 of Representatives member serve as cochairs of the commission.  
6 The appointing authorities shall notify the Executive Director of  
7 the Legislative Council upon making their appointments. The  
8 cochairs shall convene the first meeting of the commission no  
9 later than 60 days after the appointment of all members is  
10 complete; and be it further

11           **Sec. 4. Duties. Resolved:** That the commission shall analyze  
12 the future costs of providing long-term health care to elderly  
13 and disabled adults and recommend an integrated system of  
14 financing the projected costs of these services that preserves  
15 and promotes consumer choice. The commission shall investigate  
16 all relevant questions on this issue, including but not limited  
17 to the following:

18           1. Whether the financial risk associated with uncertain  
19 long-term health care costs should be shared through some type of  
20 public or private insurance system;

21           2. Whether individuals should be encouraged or required to  
22 begin saving for predictable long-term health care needs at  
23 earlier ages; and

24           3. Whether each generation of working adults should pay for  
25 the long-term care costs of their parents' and grandparents'  
26 generations.

27           The commission shall examine programs and techniques that  
28 are employed in other states or other countries; explore  
29 opportunities for expanded federal assistance or demonstrations,  
30 waivers or pilot projects; and solicit suggestions from groups  
31 and individuals with expertise in long-term care finance and  
32 delivery; and be it further

33           **Sec. 5. Meetings and hearings. Resolved:** That the commission  
34 may hold as many meetings as necessary to achieve its mission.  
35 At least 4 of the meetings of the commission must be public  
36 hearings scheduled during nonbusiness hours and must be held in  
37 various areas of the State; and be it further

38           **Sec. 6. Staff assistance. Resolved:** That the commission shall  
39 provide its own staff; and be it further

40           **Sec. 7. Funding. Resolved:** That the commission may seek and  
41 accept outside funding to advance its work; and be it further

2           **Sec. 8. Compensation. Resolved:** That those members of the  
3 commission who are Legislators are not entitled to receive the  
4 legislative per diem as defined in the Maine Revised Statutes,  
5 Title 3, section 2 or reimbursement for travel and other  
6 necessary expenses related to their attendance at authorized  
7 meetings of the commission. They may receive like reimbursement  
8 from such nonstate funds as may be available to the commission.  
9 Other members of the commission who are not otherwise compensated  
10 by their employers or other entities that they represent are  
11 entitled to receive reimbursement of necessary expenses incurred  
12 for their attendance at authorized meetings from such nonstate  
13 funds as may be available to the commission; and be it further

14           **Sec. 9. Report. Resolved:** That the commission shall submit  
15 its report, together with any recommended implementing  
16 legislation, to the First Regular Session of the 121st  
17 Legislature no later than November 6, 2003. The commission may  
18 also submit such interim reports as it determines necessary. The  
19 commission shall also make an interim report to the Long-term  
20 Care Implementation Committee, established pursuant to Public Law  
21 1999, chapter 731, Part BBBB, section 15, by November 1, 2002.  
22 If the commission requires an extension of time to make its  
23 reports, it may apply to the Legislative Council, which may grant  
24 the extension; and be it further

25           **Sec. 10. Budget. Resolved:** That the cochairs of the  
26 commission, with assistance from the commission's staff, shall  
27 administer the commission's budget; and be it further

28           **Sec. 11. Appropriations and allocations. Resolved:** That the  
29 following appropriations and allocations are made.

30  
31 **LEGISLATURE**

32  
33 **Blue Ribbon Commission to Address**  
34 **the Financing of Long-term Care**

35 Initiative: Provides for expenses related to printing the  
36 required report.

37	<b>General Fund</b>	<b>2001-02</b>	<b>2002-03</b>
38	All Other	\$0	\$2,750

39  
40 **Study Commissions - Funding**

41 Initiative: Provides a base allocation from Other Special  
42 Revenue funds in the amount of \$500 in the event grants are  
43 awarded and outside funds are received.



COMMITTEE AMENDMENT "A" to H.P. 1436, L.D. 1933

2 The Department of Human Services will incur some minor  
additional costs to support the work of the Blue Ribbon  
4 Commission to Address the Financing of Long-term Care. These  
costs can be absorbed within the department's existing budgeted  
resources.'

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**SUMMARY**

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This amendment replaces the concept draft and establishes  
the Blue Ribbon Commission to Address the Financing of Long-term  
12 Care to address the escalating costs of long-term care and  
propose a comprehensive plan that addresses the financing of  
14 future needs while preserving high quality and promoting  
individual choice. It also adds a fiscal note.