

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2005

Legislative Document

No. 1206

S.P. 420

In Senate, March 10, 2005

**Resolve, To Fund a Group Home for Young Adults with Disabilities
in Southern Maine**

(EMERGENCY)

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

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator HOBBS of York.

Cosponsored by Representative MERRILL of Appleton and

Senators: BROMLEY of Cumberland, MAYO of Sagadahoc, Representatives: BARSTOW of Gorham, HOGAN of Old Orchard Beach, PINGREE of North Haven.

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

4
6 **Whereas,** the needs of young adults with disabilities in
southern Maine are not currently being met in an appropriate
community setting; and

8
10 **Whereas,** this legislation requires the establishment of at
least one residential facility for young adults with disabilities
by October 1, 2005; and

12
14 **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
16 necessary for the preservation of the public peace, health and
safety; now, therefore, be it

18
20 **Sec. 1. Establish residential facility. Resolved:** That, by October
1, 2005, the Department of Health and Human Services shall
establish at least one facility in Southern Maine to serve as a
22 residential facility for up to 6 adult individuals, 21 to 25
years of age, referred to in this resolve as "individuals," who
24 are in need of continuous care to treat their physical
disabilities and who would otherwise be eligible for treatment in
a nursing facility. In the residential facility established
26 pursuant to this resolve, the department may permit the 6
individuals to flexibly share the personal care, nursing and
28 other home health services to which they would otherwise be
eligible in a manner that jointly meets their medical needs; and
be it further

32
34 **Sec. 2. Funding. Resolved:** That the Department of Health and
Human Services shall seek to establish and operate the
residential facility required under section 1 within the
36 department's existing resources. For purposes of this section,
"existing resources" includes money, such as funds associated
38 with MaineCare and other state and federal programs, and private
insurance that would otherwise be spent for the individual's
nursing facility and home health care. If the department finds
40 that existing resources are not sufficient to establish and
operate the residential facility, the department is authorized to
42 submit a bill to request an appropriation not to exceed \$80,000
in General Fund dollars, per year, for this purpose; and be it
44 further

46
48 **Sec. 3. Report. Resolved:** That, by February 1, 2006, the
Department of Health and Human Services shall report to the Joint
Standing Committee on Health and Human Services on the status of
50 the residential facility required in section 1, its costs and the

2 extent to which it can be used as a model to develop additional
community placements for disabled individuals.

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

6
8

SUMMARY

10 This resolve directs the Department of Health and Human
Services to establish a facility in southern Maine to serve as a
12 residential facility for young adults who are in need of
continuous care to treat their physical disabilities and who
14 would otherwise be eligible for treatment in a nursing facility.
The resolve directs the department to seek to establish and
16 operate this facility within existing resources but authorizes
the department to seek an appropriation should existing resources
18 not be sufficient. It further directs the department to report
on the status of the residential facility, its costs and the
20 extent to which it can be used as a model to develop additional
community placements for disabled individuals.