

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## SECOND REGULAR SESSION-2008

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Legislative Document

No. 2052

H.P. 1436

House of Representatives, December 21, 2007

**Resolve, To Create the Blue Ribbon Commission To Study the  
Future of Home-based and Community-based Care**

(EMERGENCY)

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Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Clerk of the House on December 19, 2007. Referred to the Committee on Health and Human Services pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative CRAVEN of Lewiston.  
Cosponsored by Senator BRANNIGAN of Cumberland and  
Representatives: CAIN of Orono, CANAVAN of Waterville, FAIRCLOTH of Bangor,  
MILLER of Somerville, PINGREE of North Haven, RAND of Portland, WAGNER of  
Lewiston, WEBSTER of Freeport.

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

3       **Whereas,** work to study the unmet needs and financing options of long-term home-  
4 based and community-based care must begin before the end of the legislative session  
5 because the State has an increasingly elderly population and there is a shortage of long-  
6 term home-based and community-based care workers; and

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

11       **Sec. 1. Blue Ribbon Commission established. Resolved:** That the Blue  
12 Ribbon Commission To Study Long-term Home-based and Community-based Care,  
13 referred to in this resolve as "the commission," is established; and be it further

14       **Sec. 2. Commission membership. Resolved:** That, notwithstanding Joint Rule  
15 353, the commission consists of 10 members:

16       1. Five members appointed by the President of the Senate as follows:

17       A. Two members of the Senate; and

18       B. Three members who are experts in the field of long-term home-based and  
19 community-based care financing and service.

20       2. Four members appointed by the Speaker of the House as follows:

21       A. Three members of the House of Representatives; and

22       B. One member who has been a consumer of long-term home-based and community-  
23 based care.

24       3. One member of the Governor's office designated by the Governor at the Speaker's  
25 request; and be it further

26       **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate  
27 chair and the first-named House of Representatives member is the House chair of the  
28 commission; and be it further

29       **Sec. 4. Appointments; convening of commission. Resolved:** That all  
30 appointments must be made no later than 30 days following the effective date of this  
31 resolve. The appointing authorities shall notify the Executive Director of the Legislative  
32 Council once all appointments have been completed. Within 15 days after appointment  
33 of all members, the chairs shall call and convene the first meeting of the commission,  
34 which must be no later than 30 days following the appointment of all members; and be it  
35 further

36       **Sec. 5. Duties. Resolved:** That the commission shall examine and make  
37 recommendations on the development of choices to meet unmet needs and financing

1 options to ensure access to and affordability of long-term home-based and community-  
2 based care. Given that the State has the oldest median age of any state in the nation, the  
3 commission shall create a coherent blueprint to ensure the sustainability of long-term  
4 home-based and community-based care options that provide choice and quality for the  
5 State's elderly and disabled citizens, many of whom are eligible for home-based and  
6 community-based care services and are not receiving them, forcing them into more costly  
7 institutional care; and be it further

8 **Sec. 6. Staff assistance. Resolved:** That, notwithstanding Joint Rule 353, the  
9 Legislative Council shall provide necessary staffing services to the commission; and be it  
10 further

11 **Sec. 7. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than  
12 December 15, 2008 the commission shall submit a report that includes its findings and  
13 recommendations, including suggested legislation, for presentation to the First Regular  
14 Session of the 124th Legislature.

15 **Emergency clause.** In view of the emergency cited in the preamble, this  
16 legislation takes effect when approved.

17 **SUMMARY**

18 This resolve creates the Blue Ribbon Commission To Study Long-term Home-based  
19 and Community-based Care to develop choices to meet unmet needs and financing  
20 options of long-term home-based and community-based care. The commission shall  
21 create a blueprint to ensure the sustainability of long-term home-based and community-  
22 based care options.