

# MAINE STATE LEGISLATURE

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Date: 4-13-09

(Filing No. S- 57)

HEALTH AND HUMAN SERVICES

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STATE OF MAINE

SENATE

124TH LEGISLATURE

FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 142, L.D. 400, Bill, "An Act To Implement the Recommendations of the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'Sec. 1. 22 MRSA §7301, sub-§2, as enacted by PL 1981, c. 511, §1, is amended to read:

2. Policy. The Legislature declares that it is the policy of this State, with regard to in-home and community support services:

A. To increase the availability of in-home and community support services long-term care services that are consumer-driven, optimize individual choice and autonomy and maximize physical health, mental health, functional well-being and independence for adults with long-term care needs through high-quality services and supports in settings that reflect the needs and choices of consumers and that are delivered in the most flexible, innovative and cost-effective manner;

B. That the priority recipients of in-home and community support services, pursuant to this subtitle, shall must be the elderly and disabled adults with long-term care needs who are at the greatest risk of being, or who already have been, placed inappropriately in an institutional setting without needed in-home and community support services; and

C. That a variety of agencies, facilities and individuals shall must be encouraged to provide in-home and community support services and to increase the percentages of adults with long-term care needs receiving in-home and community support services;

D. To promote and encourage public and private partnerships among a variety of agencies, facilities and individuals;

COMMITTEE AMENDMENT

1           E. To support the roles of family caregivers and a qualified workforce in the effort to  
2           streamline and facilitate access to high-quality services in the least restrictive and  
3           most integrated settings; and

4           F. To establish the most efficient, innovative and cost-effective system for delivering  
5           a broad array of long-term care services.

6           **Sec. 2. 22 MRSA §7302, sub-§5**, as enacted by PL 1981, c. 511, §1, is amended  
7           to read:

8           **5. In-home and community support services.** "In-home and community support  
9           services" means health and social services and other assistance required to enable adults  
10          with long-term care needs to remain in their places of residence. These services include,  
11          but are not limited to, medical and diagnostic services; professional nursing; physical,  
12          occupational and speech therapy; dietary and nutrition services; home health aide  
13          services; personal care assistance services; companion and attendant services; handyman,  
14          chore and homemaker services; respite care; hospice care; counseling services;  
15          transportation; small rent subsidies; various devices which that lessen the effects of  
16          disabilities; and other appropriate and necessary social services.

17          **Sec. 3. Planning for comprehensive presentation of long-term care**  
18          **budget for services and supports for adults with long-term care needs.** The  
19          Department of Health and Human Services shall undertake a process to provide a  
20          comprehensive presentation of a budget for long-term care services and supports for  
21          adults with long-term care needs that is complementary to the State's vision for a  
22          consumer-centered approach to long-term care. By January 1, 2010, the Commissioner  
23          of Health and Human Services shall submit a report to the joint standing committees of  
24          the Legislature having jurisdiction over appropriations and financial affairs and health  
25          and human services matters.

26          **Sec. 4. Report.** The Department of Health and Human Services shall report by  
27          January 1, 2010 to the joint standing committee of the Legislature having jurisdiction  
28          over health and human services matters on:

29                1. Waiting lists for services for home-based and community-based care and  
30                homemaker services for adults with long-term care needs and strategies to eliminate  
31                waiting lists;

32                2. Funding sources for assistive technologies to help accomplish the State's vision of  
33                long-term services and supports for adults with long-term care needs;

34                3. A comprehensive and systematic approach to training, reimbursement and benefits  
35                for direct care workers in home-based and community-based care, residential facilities  
36                and nursing facilities; and

37                4. Work done regarding the expenditures and the operations of the Aging and  
38                Disability Resource Centers and efforts to improve the discharge planning process and  
39                the provision of information to consumers and their families.

40          **Sec. 5. Increase number of people served.** The Department of Health and  
41          Human Services shall undertake efforts to increase the number of people served and  
42          funds spent in home-based and community support services for people with long-term

1 care needs. The department shall report annually through 2015 on its progress regarding  
 2 increased funding and access to in-home and community support services by February 1st  
 3 beginning in 2010 to the joint standing committees of the Legislature having jurisdiction  
 4 over appropriations and financial affairs and health and human services matters.

5 **Sec. 6. Aging and Disability Resource Centers.** The Department of Health  
 6 and Human Services shall work with the 5 area agencies on aging to provide services  
 7 through Aging and Disability Resource Centers on a statewide basis. The department  
 8 shall provide funding as appropriated in this Act. As a condition of receiving the  
 9 funding, the area agencies on aging shall work with hospitals, nursing facilities and  
 10 residential care facilities to improve the discharge planning process, including improving  
 11 the provision of information to the consumer about facility-based and home-based and  
 12 community-based options, and improving consumer choice in the discharge process.

13 **Sec. 7. Appropriations and allocations.** The following appropriations and  
 14 allocations are made.

15 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

16 **Long Term Care - Human Services 0420**

17 Initiative: Provides funding for Aging and Disability Resource Centers in the five area  
 18 agencies on aging to provide information and referral services for the elderly and adults  
 19 with physical disabilities and their families.

20	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
21	All Other	\$300,000	\$300,000
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$300,000</u>	<u>\$300,000</u>

24 **Long Term Care - Human Services 0420**

25 Initiative: Provides funding for the Priority Social Services program for reimbursement of  
 26 the costs of volunteers for the delivery of meals in the homes of consumers of long-term  
 27 care services and medical rides.

28	<b>GENERAL FUND</b>	<b>2009-10</b>	<b>2010-11</b>
29	All Other	\$500,000	\$500,000
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$500,000</u>	<u>\$500,000</u>

32 **HEALTH AND HUMAN SERVICES,**  
 33 **DEPARTMENT OF**  
 34 **DEPARTMENT TOTALS**

35		<b>2009-10</b>	<b>2010-11</b>
36	<b>GENERAL FUND</b>	<b>\$800,000</b>	<b>\$800,000</b>

1  
2  
3

**DEPARTMENT TOTAL - ALL FUNDS**

\$800,000

\$800,000

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**SUMMARY**

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This amendment replaces the bill. It combines 4 provisions requiring reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters. It reduces the funding from \$1,000,000 per year to \$800,000 per year. It changes the provision requiring a unified long-term care budget to the provision of a comprehensive presentation of the long-term care budget.

**FISCAL NOTE REQUIRED**

(See attached)



# 124th MAINE LEGISLATURE

LD 400

LR 569(02)

## An Act To Implement the Recommendations of the Blue Ribbon Commission To Study Long-term Home-based and Community-based Care

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

	2009-10	2010-11	Projections 2011-12	Projections 2012-13
<b>Net Cost (Savings)</b>				
General Fund	\$800,000	\$800,000	\$800,000	\$800,000
<b>Appropriations/Allocations</b>				
General Fund	\$800,000	\$800,000	\$800,000	\$800,000

#### Fiscal Detail and Notes

The bill provides appropriations totaling \$800,000 in each of fiscal years 2009-10 and 2010-11 for services for the elderly and adults with physical disabilities and their families consistent with the recommendations of the Blue Ribbon Commission to Study Long-term Home-based and Community-based care. The additional costs to the Department of Health and Human Services in submitting a plan for a unified budget for long-term care and other supports for adults with physical disabilities can be absorbed utilizing existing budgeted resources.