

# MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
124TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 954, L.D. 1364, Bill, "An Act To Stimulate the Economy by Expanding Opportunities for Personal Assistance Workers"

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

'An Act To Stimulate the Economy by Expanding Opportunities for Direct Support Aides'

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

'Sec. 1. 22 MRSA §7301, sub-§2, ¶C, as amended by PL 2009, c. 279, §2 and c. 420, §1, is further amended to read:

C. That a variety of agencies, facilities and individuals 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 provided by persons who are employed as personal care assistants or direct support aides or by other providers. For the purposes of this paragraph, "direct support aide" means a personal care worker or direct support worker who provides a range of services, including personal daily living supports, health supports and community supports, to adults with long-term care needs;

Sec. 2. 22 MRSA §7301, sub-§2, ¶F, as enacted by PL 2009, c. 279, §2 and c. 420, §1, is repealed and the following enacted in its place:

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

Sec. 3. Plan for developing direct support aide employment policies. The Commissioner of Health and Human Services shall convene a work group of persons representing all of the significant parties, including but not limited to consumers and workers, interested in direct support aide employment policies, training programs and compensation rates. The work group shall review direct support aide employment to

COMMITTEE AMENDMENT

R. G. S.

1 determine the extent to which the following goals are being met in programs administered  
2 by the Department of Health and Human Services:

3 1. Development of a rational, equitable and clear framework for defining jobs,  
4 administering compensation, designing and delivering training and ensuring a sufficient  
5 and high-quality workforce;

6 2. Development of a logical sequence of employment tiers, showing employment  
7 and training links among long-term care and acute care jobs, in both facility-based and  
8 home-based services;

9 3. The establishment of a statewide job classification system of direct support job  
10 titles, including direct support aide, with an initial focus on personal care jobs within  
11 programs funded by the department;

12 4. The setting of rates for all jobs classified in the statewide job classification system  
13 for wages, benefits, training, travel, supervision and administrative costs, with a goal of  
14 achieving transparency and wage level parity across programs, with reimbursement rates  
15 that cover the cost of health insurance and workers' compensation, liability insurance,  
16 recruitment, background checks and motor vehicle violation checks; and

17 5. Consideration of a multidepartmental oversight entity to be established by statute  
18 or by executive action to be assigned responsibility and authority to implement and  
19 provide ongoing oversight of the recommendations regarding direct support aide  
20 employment policies that result from work undertaken pursuant to this section.

21 For the purposes of this section, "direct support aide" has the same meaning as  
22 defined in the Maine Revised Statutes, Title 22, section 7301, subsection 2, paragraph C.'

23 **SUMMARY**

24 This amendment replaces the bill. It provides a definition for "direct support aide" in  
25 the laws governing home-based and community-based services and directs the  
26 Commissioner of Health and Human Services to convene a work group to evaluate  
27 progress toward meeting goals relating to direct support aide employment policies,  
28 training programs and compensation rates.

29 **FISCAL NOTE REQUIRED**

30 (See attached)



# 124th MAINE LEGISLATURE

LD 1364

LR 1572(02)

**An Act To Stimulate the Economy by Expanding Opportunities for Personal Assistance Workers**

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

**Committee: Health and Human Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund.

### Fiscal Detail and Notes

Additional costs to the Department of Health and Human Services to convene the workgroup to review direct support aide employment are expected to be minor and can be absorbed by the department utilizing existing budgeted resources